

Farley Landowners Group

Historical Heritage Study  
Farley Investigation Area

December 2010



Archaeology & Heritage





Historical Heritage Study  
Farley Investigation Area

Prepared for:

Farley Landowners Group

Nexus Project No 100201

Report written by:

A handwritten signature in black ink, appearing to read "Sue Singleton". The signature is written in a cursive style with a long horizontal stroke extending to the right.

Sue Singleton

Principal Archaeologist

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## EXECUTIVE SUMMARY

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Farley Landowners Group commissioned Nexus Archaeology and Heritage (Nexus) to undertake an investigation of historic heritage for the proposed rezoning of the Farley Investigation Area in the Maitland Local Government Area.

The principal objectives of the study were to:

- assess the potential impact of rezoning and development upon heritage items/areas in the study area;
- identify any areas of potential archaeological resources;
- advise on management strategies to mitigate impact upon heritage items in the study area; and
- eliminate/minimise any liability in relation to the requirements of the Environmental Planning and Assessment Act 1979, and other relevant legislation.

Historical investigation has revealed three distinct phases in land ownership history of the study area:

- Early pastoral settlement and development by the pioneering efforts of Rutherford, Hungerford and Mitchell;
- The era of coal mining and the Government reservation of lands for mining purposes; and
- The post coal mining era of subdivision, urban development and small rural holdings.

Evidence of 19<sup>th</sup> Century occupation includes:

- The line of Wollombi Road – a section of the Great North Road;
- The Great Northern Railway and associated Station Masters House; and
- The heritage listed Owlpen House.

Evidence of the early 20<sup>th</sup> Century occupation includes:

- The residential area at the eastern extreme of the study area along Wollombi Road including the more substantial cottages at No 151 and No 157 Wollombi Road; and
- The workers cottages in Owlpen Lane.

Despite the development of coal mines throughout the area and the patchwork of residential areas that developed within the former pastoral estates, the vast majority of study area remained a pastoral area and only sparsely developed.

The assessment of significance concluded that the study area as a whole did not attract heritage significance but rather elements within the study attracted individual significance. The main impact anticipated through rezoning and redevelopment would be the loss of visual amenity and the loss the cultural landscape associated with the pioneering pastoral era of the early 1830s in Wallis Plains (Maitland). The loss of curtilage surrounding individual items within the study may be managed strategically in order to minimise loss while, at the same time, balancing the present day needs for residential development.

Based on the review of historical, archaeological and physical contexts, it is reasonable to conclude that any archaeological potential within the study area would be related to Owlpen House. It is reasonable to conclude that the balance of the study offers no potential for significant archaeological resources or any heritage resources that will contribute additional information to that already known.

As urban expansion occurs, and with the pressures to develop and redevelop, cities and towns are losing open spaces, cultural landscapes, green corridors and amenity<sup>1</sup>. The NSW Heritage Office has identified the depletion of cultural landscapes as an important issue threatening the cultural values and lifestyles of our cities. Strategic planning will play a vital role in finding the balance between the needs of today and the protection of cultural landscapes.

#### SUMMARY STATEMENT OF HERITAGE IMPACT

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The assessment of significance concluded that the study area as a whole did not attract heritage significance but rather elements within the study attracted individual significance. The main impact anticipated through rezoning and redevelopment would be the loss of visual amenity and the loss the cultural landscape associated with the pioneering pastoral era of the early 1830s in Wallis Plains (Maitland). The loss of curtilage surrounding individual items within the study may be managed strategically in order to minimise loss while, at the same time, balancing the present day needs for residential development.

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<sup>1</sup> Atmosphere, feel, setting, mood, attractiveness, comfort.

## 1 INTRODUCTION

This study is the result of a commission received from Farley Landowners Group by Nexus Archaeology and Heritage (Nexus). The commission required an investigation of historic heritage for the proposed rezoning of the Farley Investigation Area (the Study Area).

The principle purpose of this study was to identify any potential historical heritage issues in order to determine constraints for use in subsequent planning and development of the study area. The study is based on plans provided by Farley Landowners Group and takes into account the overall development footprint. Farley Landowners Group will use the results of this study in an overall Review of Environmental Factors and for reference in the development of detailed subdivision plans.

This report provides the results of an investigation into historical and archaeological records relevant to the study area, including a site inspection. It provides an assessment of heritage significance and an overall statement of heritage impact with reference to the requirements of the NSW Heritage Council.

### 1.1 PROJECT OVERVIEW

The Farley Investigation Area was redefined by Maitland City Council (MCC) in the 2007/2008 review of the Settlement Strategy to respond to the land constraints, visual setting, and longer term infrastructure and conservation planning. At the outset, Council identified remnants of the Farley Railway Station and a stone and gravel quarry on the northern boundary of the investigation area, and the Ravensfield Quarry on the southern boundary of the investigation area. Council considered that these features should be integrated with the future land uses for the Farley area.

Council's heritage officer required a historical heritage assessment report to support the application for rezoning to include the following details:

- A European Historical Context Report.
- An archaeological survey.
- An analysis of any impacts on the heritage values in relation to Conservation Areas.
- An analysis of impacts on the heritage values of any existing buildings, particularly those in Owlpen Lane.

All work has been undertaken according to, and with reference to the guidelines in the New South Wales Heritage Manual.

### 1.2 PROJECT LOCATION

The study area is located in the local government area of Maitland City, approximately four km to the west of Maitland City and adjacent to the residential and commercial suburb of Rutherford immediately to the north east and the suburb of Telarah to the east. The study area, along with the regional location, is shown on Figure 1.1. A regional context is provided in Figure 1.2 and a detailed plan of the study area is provided in Figure 1.3.

The site is approximately 173 hectares in area and includes partly cleared areas adjoining large areas of bushland. Wollombi Road is a main arterial road travelling through the study area and provides a transport route between Kurri Kurri and Maitland. The majority of current land use involves low

intensity grazing and rural subdivision. Approximately thirty dwellings are located within the study area with a higher density of dwellings located along the eastern extent of Wollombi Road.

Other relevant information on the location of the study area is shown in Table 1.1

TABLE 1.1 - LOCATION DATA

Topographic Map Sheet	Maitland 92324S/Greta 91321S
Parish	Gosforth and Heddon
County	Northumberland
Local Government Area	Maitland City



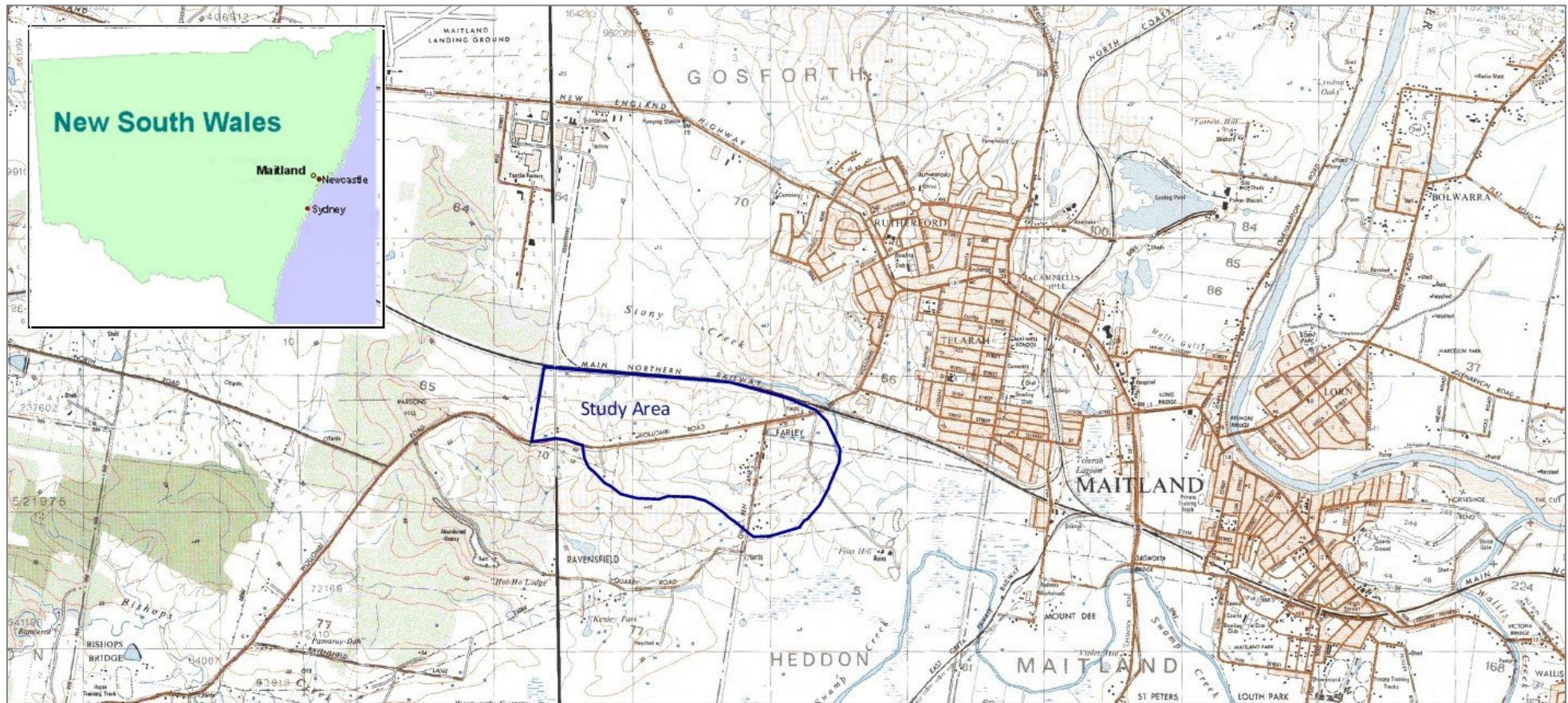


Figure 1.1 – Study Area Location  
Source: LPI Topo Series Maitland 92324S/Greta 91321S



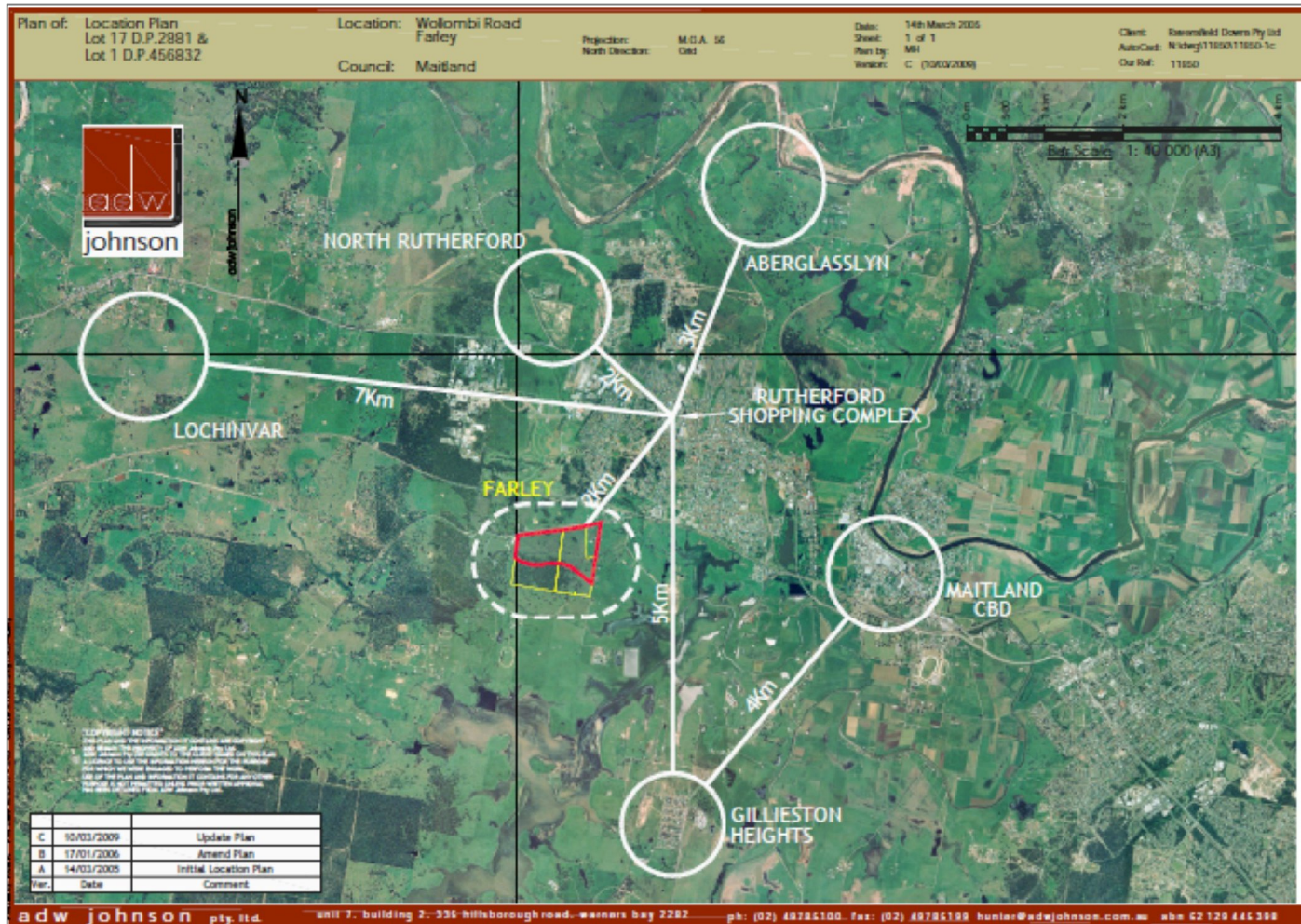


Figure 1.2 – Study Area Location – Local Context

Source: ADW Johnson Pty Ltd 10/3/2009





Figure 1.3 – Study Area Detail  
Source: ADW Johnson Pty Ltd 2/2/2010

### 1.3 STUDY OBJECTIVES

The principal objectives of the study were to:

- provide a review of known heritage items located within the study area, and their historical/heritage values as listed in statutory heritage lists and databases;
- identify potential heritage items not listed in statutory heritage lists and databases;
- identify any areas of potential archaeological resources;
- determine any potential impact of the project on the heritage values of any items falling within the study area; and
- provide recommendations for the appropriate management and mitigation of any potential heritage impact, including the need for further study if necessary;
- eliminate/minimise any liability in relation to the requirements of the Environmental Planning and Assessment Act 1979, and other relevant legislation.

The study was carried out using the following methodology:

- the investigation, through specialist primary and secondary references, of the historical context of the site in relation to the settlement and development of the region and the study area;
- review of historical maps;
- research of the recorded archaeological context of the study site through searches of relevant statutory and non-statutory databases;
- a general surface inspection of the study area, recorded by digital photography, to provide a present day context to the study and to inform the study area inspection;
- the preparation of an assessment report to provide a Statement of Heritage Impact based on the analysis of research and field studies, and using established criteria published by NSW Heritage Council; and
- compliance with the criteria for studies, assessment, heritage management and reporting established by the NSW Heritage Manual.

### 1.4 REPORT STRUCTURE

Section 2 provides a context of the Study Area in terms of the available archaeological and historical records and the results of a site inspection for present day context. The synthesis and analysis of context investigation is included and provides the basis for a model of potential archaeological resources.



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Section 3 defines the heritage values of the Study Area by reference to its significance, its condition and integrity, the identification of relevant research themes, and the potential for the project to impact upon heritage values. This section concludes in a formal Statement of Heritage Impact (SOHI).

Section 4 focuses on the management of the heritage values of the study area by considering any issues raised by the proposed project and by recommending appropriate management strategies.

## 1.5 STUDY PERSONNEL

Sue Singleton, Principal Archaeologist, Nexus, conducted the research and report preparation for this investigation.

## 2 THE CONTEXT OF THE PROJECT AREA

### 2.1 CONTEXT EXPLAINED

The material that is the target of a historic heritage study can only be properly understood by bringing together the different contexts that have contributed to its creation and survival. Surviving material evidence is able to contribute to the meaning and understanding of a site by complementing the spoken or written record.

The context of a study area is investigated through its archaeological, historical and physical attributes. The archaeological and historical contexts reflect documentary research and reviews of previous archaeological and historical studies. The physical context refers to features identified in the course of physical inspection of the site. The synthesis of the archaeological, historical and physical components of contexts assists in determining the significance of the site and, if relevant, the area within which it is anticipated that archaeological resources may exist.

### 2.2 ARCHAEOLOGICAL CONTEXT

The archaeological context refers to any remaining physical evidence of the past. This can include below ground evidence such as building foundations, occupation deposits, features and artefacts, and above ground evidence including buildings that are intact or ruined, or landform features such as retaining walls or drainage lines.

Heritage registers and inventories are lists of identified heritage items that record known archaeological resources at local, state and national levels. The registers may provide information on comparative sites which can be used to assist in the interpretation of archaeological evidence and also in the evaluation of the relative significance of historical/archaeological heritage material. Copies of relevant inventory searches are provided in Appendix 1 for reference.

Registers, inventories and reports relevant to this study are:

- Maitland Local Environmental Plan (LEP) 1993 (amended 2010).
- Maitland Heritage Survey Review, 1994;
- The State Heritage Register (SHR) and State Heritage Inventory (SHI).
- The Australian Heritage Database (AHD).
- The Register of the National Trust (NSW).
- ARTC Register pursuant to s170, Heritage Act, NSW, 1977 (in relation to former Railway Lands).

## 2.2.1 INVENTORY SEARCH RESULTS

Inventory searches were undertaken for items located in Farley, and neighbouring localities of Bishop's Bridge, Gosforth, Telarah and Rutherford.

The Maitland LEP 1993, as amended, defines six Heritage Conservation Areas within the Maitland Local Government Area. The study area does not fall within any of the defined Heritage Conservation Areas and is located well beyond the western boundary of the Lorn Heritage Conservation Area, as shown in Maitland City Council LEP plan provided in Appendix 1.

TABLE 2.1 – HERITAGE ITEMS FARLEY AND SURROUNDS

Item	Location	Source	Level of Significance
Owlpen House	60 Owlpen Lane, Farley	Maitland LEP 1993 SHI	Local
Anambah House	Anambah Road, Gosforth	Maitland LEP 1993 SHI AHD	Local
Government Railway (Great Northern Railway)	Various	Maitland LEP 1993 SHI	Local
Stone Quarry (Brown's)	Ravensfield Road, Bishops Bridge	Maitland LEP 1993 SHI	Local
Cemetery	New England Highway, Rutherford	Maitland LEP 1993 SHI	Local
South Maitland Railway Yards	Junction Street, Telarah	Maitland LEP 1993 SHI	Local
Campbell's Hill Cemetery	South Street, Telarah	Maitland LEP 1993 SHI National Trust	Local
Byrn Glas	Thomas Street, Telarah	Maitland LEP 1993 SHI	Local
Font Hill <sup>2</sup>	Farley	National Trust	Not provided
The Family Hotel	Albert Street, Telarah	National Trust AHD	Not provided

The only heritage listed item located within the study area is Owlpen House. A plan showing the location of Owlpen House and those closely proximate heritage items in relation to the study area is provided in Appendix 1.

## 2.3 HISTORICAL CONTEXT

The historical research of the use, occupation and development of the study area has been concentrated upon facets relevant to heritage and archaeological study, and to the evaluation of historic heritage. This historical context has been compiled through the combined research of primary source material and secondary source literature.

<sup>2</sup> The home of John Hungerford, son of Emanuel Hungerford (Sands, 1878), see Section 2.3.2.

The main phases/events that have contributed to the history of the study area can be summarised as:

- Land grants, early settlement and development of the district surrounding Maitland, particularly the locality of Farley;
- The lives and practices of early land holders;
- The advent of coal mining and the railways;
- The subdivision of the large pastoral estates; and
- The development of the district during the 20<sup>th</sup> Century.

### 2.3.1 LAND GRANTS AND EARLY SETTLEMENT

The first Europeans to travel the lower Hunter were the party of Lieutenant Colonel Paterson who undertook an exploration of the Hunter River in 1801. At the time, Paterson named the locality Green Hills (present day Morpeth). Cedar and coal were noted in abundance along the river and the area along the Hunter River was reserved by the Government, in the interests of the public, chiefly for these resources. This action effectively closed the lower Hunter district to free settlement until 1818 when Governor Macquarie recognised the need to expand the Newcastle penal settlement. Initially, Macquarie selected a few convicts and ex-convicts and permitted them to establish farms along Wallis Creek, the area known then as Wallis Plains.

There were a number of reasons for the growing demand for land which led to the release of government reserved land in the Hunter Valley between the years 1821 and 1827. The penal colony at Newcastle, established in 1801, was transferred to Port Macquarie. There was a growing need to de-pasture sheep from the Liverpool Plains as the wool industry gathered momentum and pastoralists realised the potential for wool as an export commodity. Macquarie's dispatch of 8 March, 1819 acknowledged the growing population and the "extensive rich and fertile land being found at no great distance" along the principal sources of the Hunter River (JRAHS, 1926:73). By 1820, Macquarie had opened the area up to free settlement and had started to allocate land grants.

In the 1820s, it was a policy to grant large tracts of land to military personnel and prominent citizens. Grantees were usually granted an area of land appropriate to their capital value and resources. Speculation on increasing land values motivated some to gain large land grants and wait for good land to become scarce before selling at inflated prices (Green, 1975).

As a result of this policy, a large percentage of the pioneer settlers belonged to the mercantile, professional and leisure classes, most of whom resided in Sydney and relegated management of the properties to agents or managers (Campbell, 1926). Many of these grantees were absentee landholders and agents were appointed to carry out improvements on the land in order to either plant crops or manage stock. Grants of land were conditional upon improvements such as clearing and fencing to be carried out within certain time limits. Many of the original land grantees had already transferred their land to others prior to the issue of the deeds of grant.

Many of the present day districts of Maitland are founded on or within subdivisions of these large estates and the names of the suburbs reflect those of the pioneer landholders.

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### 2.3.1.1 EARLY TRANSPORT ROUTES

According to Green (1975), during the early period of land alienation and settlement, the overland journey from Newcastle to Wallis Plains consisted of a very rough track which passed through extensive swampy areas and proved a great challenge to the early settlers. As a result, much reliance was placed upon shipping along the Hunter River for the movement of supplies and people. However shipping had its drawbacks too. Prior to the introduction of steam navigation, the movement of ships was dependent upon the tide as well as the wind. At times it could take a ship two rises and falls of the tide to negotiate the river from Newcastle to Green Hills (present day Morpeth). Goods and travellers then transferred to barges or ox-carts for the remainder of the journey to Wallis Plains, a total distance of more than sixty miles (nearly 100 kilometres). A road was not completed from Newcastle to Wallis Plains until 1826 and it was still considered a very inferior road, largely impassable in wet weather (Green, 1975).

John Howe found an overland route from the south in 1820 and this became the Bulga Road, used for most of the 1820s. However, the rapid rate of expansion from the south to the Hunter Valley soon made the Bulga Road inadequate and in 1825 surveyor Heneage Finch was sent to find a better route. The new road began at Wiseman's Ferry proceeding north to Wollombi where it divided. The easterly branch of the road proceeded to Cessnock and then to East Maitland, and this is present day Wollombi Road; the westerly branch went to Broke and onto Singleton. The new road was known as the Great North Road (GNR), not to be confused with the Old North Road<sup>3</sup>. Further historical context of the GNR is provided in Section 2.3.4.

During the first few years of settlement in the 1820s there was relative peace in the valley although it was not until 1825 until an inn and general store were opened (Farwell, 1974). Then in 1825 a few discontented assigned servants formed themselves into a band of bushrangers who widely terrorized the settlers, stealing weapons, ammunition, horses, stock, food and blankets as they pleased (Campbell, 1926).

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### 2.3.1.2 19<sup>TH</sup> CENTURY RURAL ENTERPRISE

Pioneering settlers to any region must face challenges such as poor and unreliable transport routes before the expansion of roads and railways to the area. In the early days, many areas, such as Wallis Plains, relied upon water to transport goods and people. Services were few. It took time to establish schools and churches although Innkeepers were usually swift to take up a new opportunity for trade. Merchants followed the establishment of the Inns and government buildings such as lock ups and court houses were constructed as the population grew and the need for government administration, and law and order also grew.

The founding pioneers of an area were required to use initiative and make use of the materials available to them locally. Farms needed to be self sufficient as quickly as possible although many settlers initially obtained supplies from the government stores in Newcastle until they could establish themselves. Building materials were sourced locally with many homesteads and outbuildings constructed from the timber cleared for cultivation. Where available, stone was quarried for building footings or field stone was collected for use in footings and fireplaces. In some cases, where suitable, clay was available and when those with necessary skills were at hand, bricks were hand made on site.

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<sup>3</sup> The Old North Road branched from Wollombi Road and travelled westerly to the locality of Lochinvar. At Lochinvar, the road branched to the Lochinvar township (present day Station Lane) while the Old North Road continued more or less parallel with the GNR westerly.

Bricks were generally a much more expensive and time consuming material to work with and often only fireplaces and chimneys were constructed of brick on a stone rubble base.

A typical homestead of the time would have consisted of a four to eight room house, a separate kitchen with servant's rooms, dairy store, meat house, a barn, stockyards, servant's cottages, shepherds huts, and possibly a blacksmith's shop. The types of dwellings and out-buildings constructed on the early holdings included wattle and plaster cottages with thatched roofs, log barns, small gardens, pig yards and patches of maize (Thorp, 1994).

The absence of draught animals in the early days of pastoralism meant that work was done by hand by the plentiful supply of convicts who wielded a hoe instead of a horse drawn plough (Birmingham et al, 1979). Hand tools included, among many, manure forks, chipping hoes, grubbing hoes, breaking-up hoes, and harvesting hooks and scythes. From the 1820s to the 1930s, the horse was the chief source of farm power. The industrial revolution of the 19<sup>th</sup> century delivered implements and equipment from Britain and the United States. New machinery driven by horse power magnified man power many times and man power was redirected towards managing horse and machine.

From the 1850s steam traction engines were being used to replace the horse. Small and mobile steam engines were used to power stationery equipment such as threshing machines. Eventually the development of the oil engine was applied to farm implements and more efficient production resulted with crops now available for human consumption whereas previously much had been used in feeding the horses (Birmingham et al, 1979).

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### 2.3.1.3 CONVICT LABOUR

Transportation of over 160 000 convicts to Australia during the period 1788-1868 provided a free labour force for both government and non-government projects. Prisoners involved in non-government projects were known as "assigned servants" and carried out a variety of work for their Masters. Thus, the economic basis of the earliest settlements consisted of a pool of unfree labour, provided by the transportation system (Connah, 2001).

Some convicts were retained in government labour gangs and the common perception of the convict era is depicted by the road gangs, often in chains. Many roads, bridges and buildings resulted from their efforts. These convicts were 'on the stores', indicating that their food, clothes and housing were provided by the Government. However, during the late 1820s and 1830s a new policy to assign convicts to settlers or emancipists (former convicts) as assigned servants for pastoral or commercial enterprises was introduced. This policy was designed to save the government money and grants of land were delivered subject to the grantee's promise to employ, victual, house and clothe one convict to each 100 acres, agreeable to government regulations, until the expiration or remission of the sentence of each convict (Wood, 1972). Some convicts found themselves relatively well looked after by caring masters or at the other extreme, they could find themselves grievously mistreated.

In general assigned servants in rural New South Wales lived in relative freedom. However, aside from their assigned work in the house or in the field, convicts were required to look after themselves. Generally, the men lived in huts surrounding the main house and the female housemaids, kitchen hands and nursemaids usually lived in a room or annexe attached to the main house.

Convict quarters consisted of a hut, usually a short distance from the main house and farm buildings. The huts were mostly built of split slabs set upright about six inches into the ground. Buildings could vary in size from 12 to 20 feet in length and 8 or 10 feet in width (Kent and Townsend, 1996). A post was erected at each corner of the hut upon which poles were laid fastened to support the roof

rafters. Sheets of bark stripped from trees were used for roofing material. Fireplaces were often an extension at one end of the hut and also made of split slabs or where available of stone or brick. On occasion thick plaster was applied internally to a height of about two feet in order to fill the gaps between the slabs. Huts usually accommodated from two to eight men.

Furniture and utensils were crude and convicts were required to make do with the limited materials available to them. An iron pot and frying pan for cooking, an axe for chopping fire wood, a quart tin for boiling tea for each man. A mattress was made by sewing any available material into a sack and stuffing it with straw. Crude beds were made with sticks or boards – anything to raise the mattress off the floor. A sheet of bark or sometimes boards were used as a table and chairs or stools were made from blocks of wood. In his memoirs, Joseph Mason, an assigned convict in 1831-1837 compared such huts with cowsheds and pigsties:

Many cowsheds and pigsties that I have seen in England for regularity and solidity of building and in exterior appearance are palaces compared with these huts (Kent & Townsend eds, 1996).

The basic diet of convicts on rural estates was meat and damper. The weekly ration for each man was between five and six kilos of flour, and three kilos of beef or two kilos of pork. The flour was usually wheaten but maize was mixed with it when wheat was scarce in poor seasons. Convicts ground their weekly issue of wheat into flour using steel hand-mills, then baked it into dampers or 'cakes' in the ashes of the open fire in their hut ([www.tocal.com.au](http://www.tocal.com.au)).

Sunday was prescribed a rest day and convicts could not, by law, be required to work. However, Sunday was the only day that convicts had to provide for themselves. Often they would have a vegetable garden to supplement their allocated rations. They would need to grind wheat into flour for bread making and tend to washing. A depiction (a rather romantic version) of a convict hut and convicts tending their chores on a Sunday is provided in Figure 2.1.



Figure 2.1  
Romantic depiction of convicts going  
about their Sunday chores.  
Source: [www.tocal.com](http://www.tocal.com)



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#### 2.3.1.4 COAL MINING

Coal mining was the impetus for the settlement at Newcastle. The mining companies and their associated rail and port infrastructure, and the establishment of villages and townships for the workers contributed a great deal to the development of the suburbs of Newcastle. Sydney had become reliant upon the supply of Newcastle coal and there was also demand for coal in England. So when coal was observed around Maitland, it didn't take long before commercial mining commenced.

Relevant to the study area are the commercial South Maitland Coalfields, particularly the East Greta Coal Company, located on 245 acres of Hungerford's Lochdon Estate as shown in Figure 2.2. A small group of West Maitland and Hunter Valley businessmen, had purchased in 1888, a portion of Emanuel Hungerford's original land grant (see Section 2.3.2) and engaged Mr Henry Cartwright, an experienced miner, to prove the existence of a viable coal seam. Also relevant is the Homeville Colliery established on Mitchell's 400 acre Homeville Estate.

By 1903 the South Maitland Coal Fields were producing 13% of the northern districts entire output. By 1907 output had increased to 31%. By 1914, the Greta Mines were producing half of the state's coal output. By the 1920s coal was considered the single most important factor in the economy (Thorp, 1994).

The 1950s and 1960s were periods of change in the Hunter coal mining industry where a great deal of rationalisation was undertaken, largely due to technological innovation. Many of the smaller mines were closed and many miners lost their jobs. At the same time, other industry and commerce was expanding

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#### EAST GREAT COAL COMPANY

As a result of Cartwright's initial investigations, Professor Edgeworth David began mapping the Greta coal seams in 1886 and optimistically predicted very fine prospects for the future development of coal there. Two seams of coal were identified, the top seam named the Greta Seam and below that at depth, a seam named the Homeville Seam. Edgeworth David revisited the area again in 1887 and as a result of test bores revised his assessment of the potential yields to even greater proportions.

As a result of the great potential for coal mining south of Maitland, the Government reserved much of the surrounding area and prohibited any other economic land use (Umwelt, 1999).

Early coal production from the Hungerford Estate was carted to West Maitland by horse teams, and was readily sold there. The business group realised that to become a viable organisation it required more finance for both the mine development and rail transport.

The East Greta Coal Mining Company was established (by the same business group operating the mine) in 1891. One of its first actions was to build a railway from East Greta No. 1 Colliery to the Great Northern Railway (refer to Figure 2.2). This line was opened in 1893 and was later extended to other mines in the area. A branch from Aberdare to Cessnock was opened in 1904. A Government requirement was that these private coal lines also carried passengers and goods, and this provided transport between Stanford Merthyr and East Greta Junction, and provided transport to connect the colliery communities with Maitland and the Great Northern Railway.

In 1918 the South Maitland Railway Company was formed, amalgamating the East Greta Coal Mining Company and the Aberdare Railway (which had been based at East Greta until its locomotive



workshops were relocated to Telarah in 1912). East Greta Junction was created where the colliery line joined the Great Northern Railway.

The original Mount Dee homestead on top of the hill, possibly Farely House constructed by Emanuel Hungerford, (see Section 2.3.2) became the colliery offices (Dallas, 2000 in NSW Heritage Council). As operations expanded in the 1920s most of the infrastructure was established, with brick buildings added in the 1950s. The company had had a new office building erected at its East Greta No. 1 Tunnel although the archival records do not show the site, size, or materials of construction (NRM, [www.hostingcollectionsaustralia.net](http://www.hostingcollectionsaustralia.net)).

Colliery houses were also constructed for the Mine Managers and Superintendents, those who were required to be on site and available at short notice. Again little is shown in the archival records. However, newspaper reports of the official mine opening inform that ten colliery houses had been built.

Some of the mines, including the East Greta Coal Company, placed a lease charge for land around the pits on which the miners had erected their cottages. In the early 1900's, the mining population surrounding the new collieries in South Maitland pressured the Government to lift the reservation over the area and make freehold land available on which to build their homes.

In response to the pressure from the mine workers, under instruction from the Government, the East Maitland Lands Board surveyor selected the site of Kurri Kurri in 1902 and an auction sale of building sites was held. As a direct result of the example of the Government's land decision at Kurri Kurri, the East Greta Coal Mining Company sold household allotments as freehold from its mining land at East Greta.

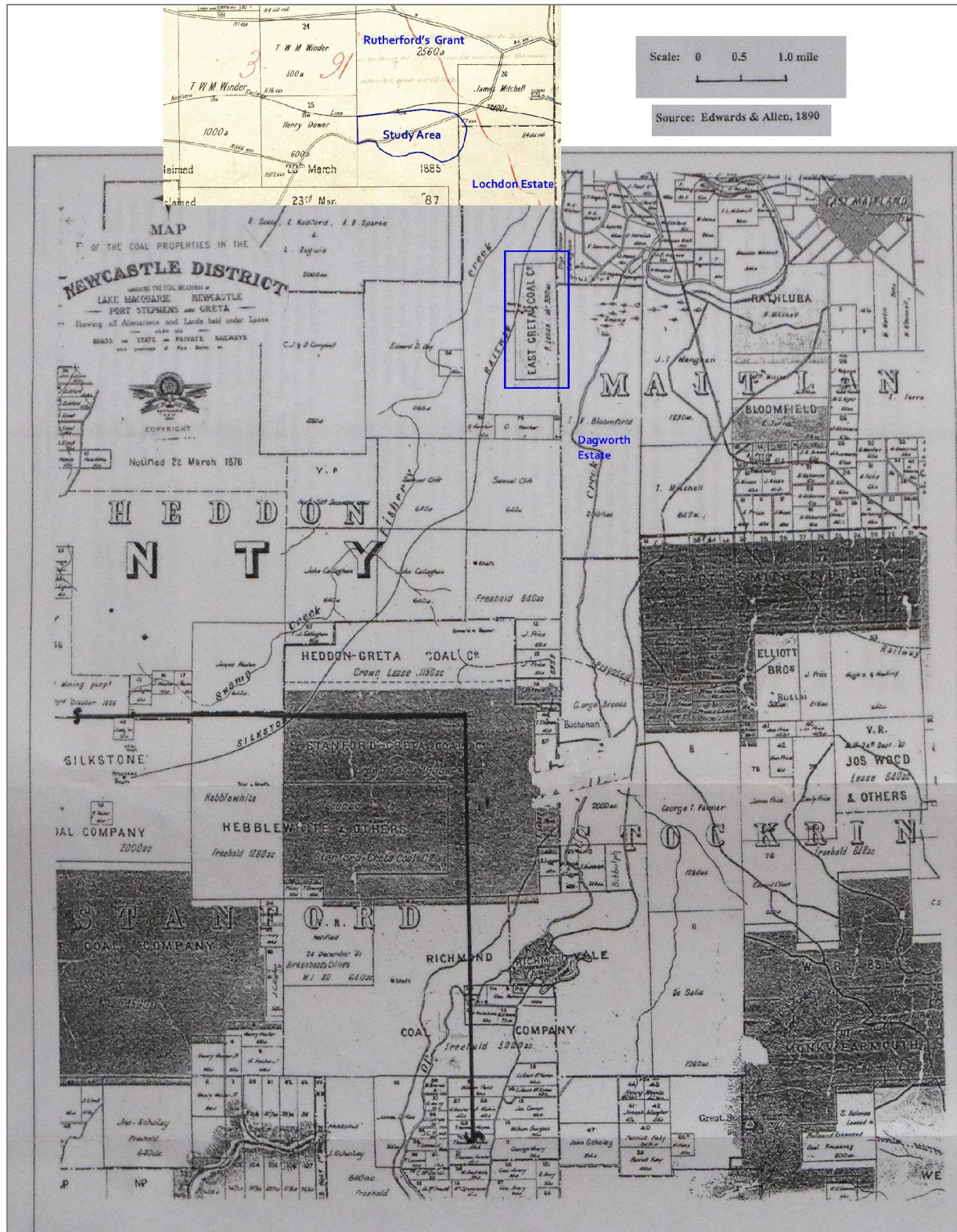


Figure 2.2  
Plan of Newcastle District Coal Mines 1890.  
Annotated to provide study area context.  
Source: Edwards and Allen, 1890 in Umwelt, 1999.



Miner's housing was typically a small basic cottage consisting usually of four rooms with hallway running from front to back door and a verandah across the street front (see Figure 2.3). Kitchens and ablutions were usually separate buildings at the back of the cottage.



Figure 2.3  
Typical coal miner's cottage circa 1900.  
Source: [www.jenwilletts.com](http://www.jenwilletts.com)

East Greta No. 1 Tunnel and workings closed during 1926. Very high flood waters in the Hunter Valley in June 1930 made inrushes into the old East Greta No. 1 Tunnel workings through a number of subsidences and weakened surface areas. This water did great damage underground, scouring everything out of its way.

Most of the mine infrastructure was relocated or demolished by 1940 and over time the brick structures were demolished and sold as second hand building material. The East Great Mining Lease was completely abandoned in 1963 by its then owners, Coal and Allied Limited. South Maitland Railways ceased operating the passenger trains in 1967, and NSW GR ceased operation of trains on the line in 1972, (Dallas, 2000 in NSW Heritage Council). Today there is little evidence that a colliery existed on this location, except for landform evidence such as rail sidings, cuttings and embankment.

#### HOMEVILLE COLLIERY

The Homeville Colliery opened in 1880 on Mitchell's Homeville Estate (see Section 2.3.2 and Figure 2.5). In 1887, it became known as the South Greta Colliery. The village of Homeville evolved as a mining town associated with the colliery.

#### 2.3.1.5 QUARRYING

Quarrying has never been a particularly important industry in the area but several quarries were located in the region. The stone produced was widely known as fine building stone. The most significant of the quarries was the Ravensfield Quarry which had especially fine sandstone (see

Section 2.3.4.1). The Gresford Quarry produced dark marble. The Morpeth Quarry produced excellent building stone in the 1860s. Thomas Browne’s Monumental Stone Works, which closed in 1981, is a noteworthy local business that exploited this local resource.

## 2.3.2 STUDY AREA LAND GRANTS AND THE LARGE ESTATES

The study area spans three former land grants of County Northumberland:

- Portion 70, Parish Gosforth, 2560 acres granted to Dr George Shaw Rutherford;
- Portion 66, Parish Gosforth, 400 acres purchased by Dr James Mitchell; and
- Portion 5, Parish Heddon, 2000 acres granted to James McGillivray and then purchased by Emanuel Hungerford.

The vast majority of the study area lies within the former grant of Dr George Shaw Rutherford. Figure 2.4 is a reproduction of the 1885 Parish Gosforth Map showing a best approximation of the study area location. The relevant development history of each portion, as relevant to the study area, and in reference to the researched historical context, is provided below.

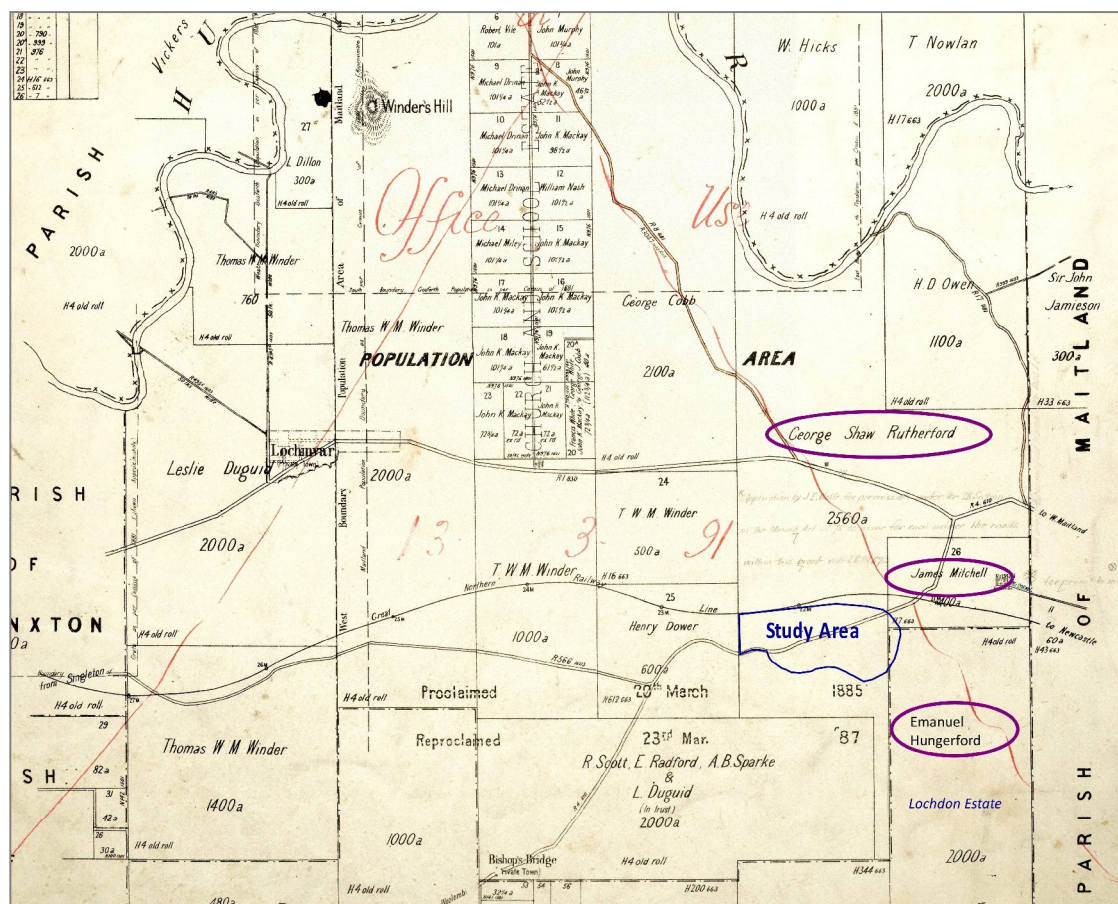


Figure 2.4  
Parish Map County Northumberland Parish Gosforth 1885  
showing large estates and best approximation of study area location.  
Source: LPI Parish Map Series

## DR GEORGE SHAW RUTHERFORD – RUTHERFORD ESTATE

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The vast majority of the study area was located on the southern extent of a portion of land originally granted in 1822 to John Cramer Owen, a young English immigrant, (Mitchell, 1984). John's brother Henry Dixon Owen was granted 1100 acres<sup>4</sup> of neighbouring land with an option to purchase an additional 300 adjoining acres. However, John had already returned to England so Henry requested his grant be extended to 2000 acres. While the details are unclear, it appears that Henry thought his brother's entire 2000 acre grant had been transferred to his ownership. Henry is listed in ownership of 1100 acres named Lowther Park until 1827 when the holdings were sold by the Sherriff to Sir John Jamieson (Green, 1975). Meanwhile, the 2000 acre grant set aside for John Owen, who was apparently now deceased, was granted to Dr George Shaw Rutherford in a parcel of 2560 acres in 1828.

For the most part Rutherford was an absentee landowner (Green, 1975). The Census of 1828 records the arrival of George S Rutherford, Surgeon Royal Navy, in Australia in 1827 on the *Eliza*. He is listed in residence at Luskintyre at the time of the 1828 Census. He may have been staying with Alexander McLeod who had been granted 2000 acres to the north of Rutherford, which he called Luskintyre.

Local records reveal Rutherford was assigned convict servants and in 1828 employed an overseer by the name of Joseph Gassett (1828 Census). In 1828, convicts assigned to Rutherford included labourers, a flax dresser, a painter – by name they were John Sawyer, James Sneeze, Patrick Maughan. In 1832, Rutherford gave evidence at a parliamentary inquiry into the condition of convicts.

James Reid, a settler in occupation of his Hunter grant, Rosebrook, acted as local agent for Dr George Rutherford (Wood, 1972). Reid had taken up a 2000 acre land grant to the north of Rutherford's grant and he apparently acted for a number of absentee landholders in the area.

A newspaper report in 1866 provided evidence that Rutherford had left his estate by 1851 leasing it out to Isaac and Jacob Gorrick. The newspaper reported that Rutherford was taking action in relation to his holdings at Rutherford, as reported in the *Sydney Morning Herald*:

Rutherford v Gorrick and Another – *Sydney Morning Herald* 29 October 1866

This was an action for breach of agreement. The plaintiff, George Shaw Rutherford, sued the defendant, Isaac and Jacob Gorrick, for that they having, by deed, been in the occupation of his land, situate at Rutherford, together with certain buildings, dwellings and fences thereupon, for the term of ten years from the 1<sup>st</sup> April 1851, did not yield up the said premises according to the term of his lease in a good state of repair – reasonable wear and tear excepted, and, in consequence, the plaintiff averred that he was unable to let the said land with the said buildings, fences and other erection for as high as he otherwise might, and thereby greatly injured, and he claimed 1000 pounds.

Thus it can be concluded that improvements were made on Rutherford's land, as required by the terms of land grants. Based on similar studies throughout the region, particularly in a well recognised flood area, improvements would have been made as close as practicable to roadways and reliable water supply, and on higher ground if available. However, reports of dwellings and buildings on low ground are common, as are reports of their destruction during flood times. With this in mind, it is

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<sup>4</sup> It is Owen's parcel of land upon which the historic Aberglasslyn House sits, completed by George Hobler in 1842 (refer to Appendix 1).





According to historical maps, the southern extreme of the Rutherford Estate holding (the area south of the Great Northern Railway) was subdivided into large rural blocks sometime between 1890 and 1920. The Yewens Directory of Landholders in 1900 records a number of subdivided holdings within the Rutherford grant, which had become known as a the locality "Rutherford" as follows:

- Bufflies, Balger, Rutherford –grazier;
- Brown, Joseph, Rutherford – crops;
- Cabb, Alfred, Rutherford crops, dairy, grazing;
- Cahill, William., Rutherford – maize, crops; and
- O'Donnell, James, Rutherford – crops.

Development of the Rutherford Estate in the 20<sup>th</sup> Century involved mainly that area north of the Great Northern Railway, where subdivision and urban development formed closer settlement and the present day suburb of Rutherford.

#### EMANUAL HUNGERFORD – LOCHDON ESTATE

The study area incorporates a small portion in the north-west extreme of the former Lochdon Estate (refer to Figure 2.4). Lochdon was established on 2000 acres originally granted to James Lachlan McGillivray. McGillivray arrived free in the colony and he was allotted 2000 acres on Fishery Creek in the Hunter, grant number 104 on 21 November 1823 (Campbell, 1926). Among many absentee landholders, who appointed agents for their holdings, McGillivray took up his grant in the Hunter.

McGillivray, in line with other settlers in the area, would have begun a program of clearing, using felled timber to construct huts and outbuildings. It appears he had a well established property when in 1828 he transferred ownership to Captain Emanuel Hungerford for 750 pounds sterling (Wood, 1975).

Captain Emanuel Hungerford (see cover page) arrived in Australia from Ireland on 16 may 1828 with his wife, seven sons, an infant daughter, several nephews, a schoolmaster, Richard Boyle, and employed servants (Wood, 1975). He was promised a land grant and applied for land on the Hunter. Failing to gain the land of his choice, he purchased the already established Lochdon Estate. Hungerford was assigned convicts recorded in the 1828 Census which included a stable boy and woodcutter, by name some assigned servants were; James Barry, Henry Smith (who later absconded from service), Ellen Bryon and James Carr. Hungerford became involved in public life and was held in high esteem as he was appointed Magistrate in about 1830 (Wood, 1975).

Hungerford called his residence Farley House, apparently after Farleigh near Bath in England (SMH, 1954) and he is known to have been living there in 1845 when his son William married Agnes Winder. Farely House was apparently an impressive two storey homestead (Webjournal). Another son, Robert had also married into the Winder family in 1839, when he married Ellen Winder. Emanuel had built Owlpen House in 1837 for Robert, and he and Ellen lived there for many years. After a life of varied fortunes, including bankruptcy in 1850 and some time living in New Zealand, it appears that Robert and Ellen returned to Owlpen House in their later life as Ellen reportedly died there in 1892 ([www.newspapers.nla.gov.au](http://www.newspapers.nla.gov.au)). Robert survived his wife by five years and died in 1897.

A 245 acre portion was sold to a group of businessmen in the 1880s and this became the first of the South Maitland Coal Mines, operated by the East Greta Mining Company (see Section 2.3.1.4).



The Yewen's Directory of Landholders in NSW in 1900 lists Henry Sanezer at Lochdon growing maize and other crops, and dairying. This was likely a portion sold or leased to Sanezer in the northern extreme of the former 2000 acre Lochdon estate. The Parish Map of 1904 shows the subdivision of the southern and eastern portions of the Estate (see Figure 2.6) which would have been associated with the East Great Coal Mine. The north-west portion of the estate appears to have been retained as open pastoral land. Given the low lying alluvial nature of this portion, it was likely the most productive for agriculture and grazing, and the least suitable for development.

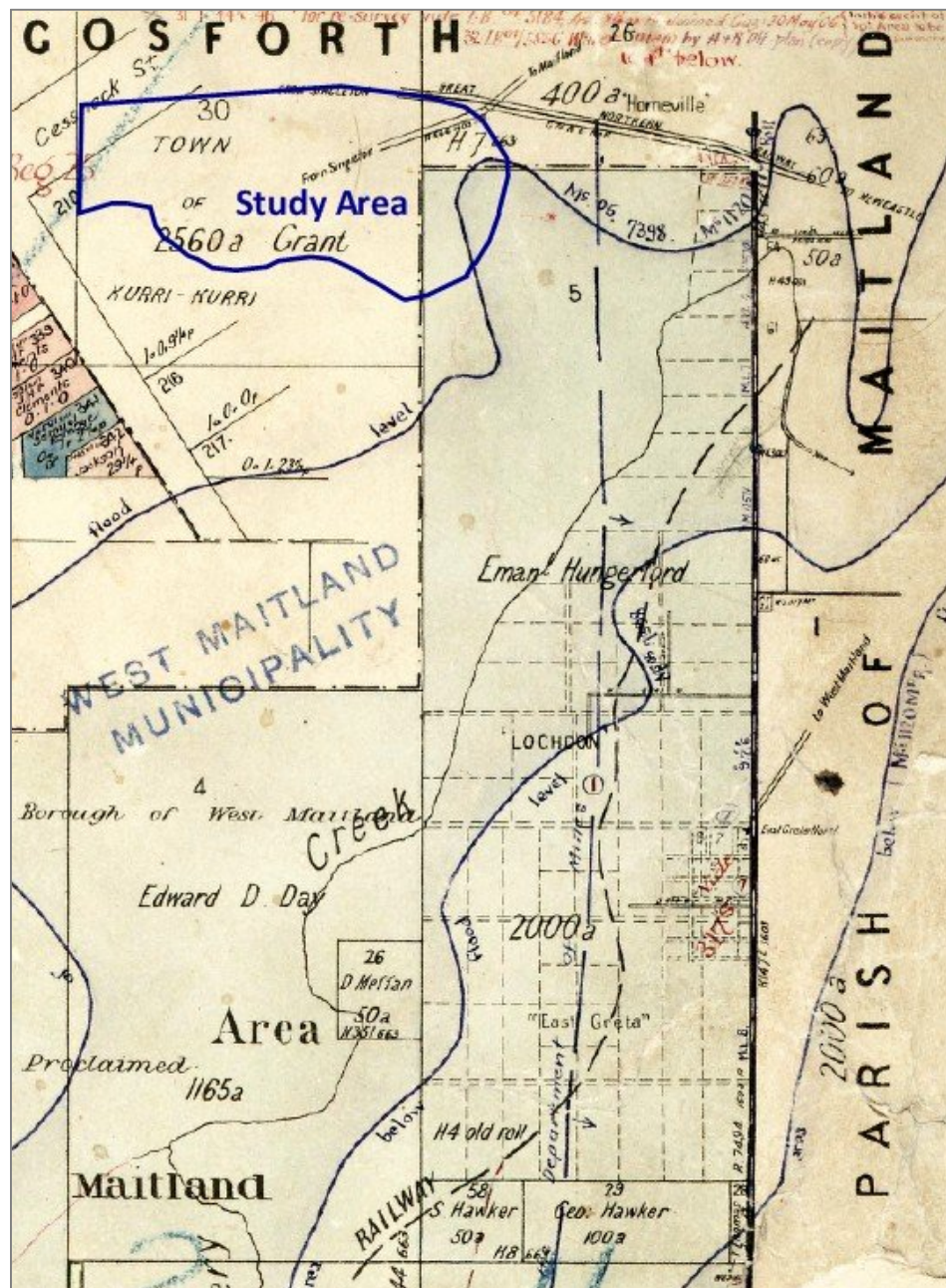


Figure 2.6  
Lochdon Estate, Parish Map Heddon, 1904.  
Source: LPI Parish Map Series.



## JAMES MITCHELL - HOMEVILLE

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Appointed Assistant Surgeon to the 48<sup>th</sup> Regiment stationed in Sydney, James Mitchell arrived in Australia on 7 November 1821 as a passenger aboard the John Barry. In July of 1822, Mitchell applied to go on half pay and settle in the Colony. His original land grant comprised 2000 acres adjacent to Glendon, granted to well known pioneer settlers Robert and Helenus Scott. Mitchell married into the Scott family in 1833 when he married Augusta Maria Scott.

Mitchell was a shrewd businessman and he purchased a great deal of land which he then subdivided and leased in order pay off the purchase price (Green, 1975). Mitchell was conducting a private medical practice in Sydney during the 1830s and it is likely his Maitland estates were managed by the Scott brothers at this time (Green, 1975).

Mitchell is probably best known for his development of the Burwood Estate in Newcastle which incorporated the suburb of Merewether and surrounds. Notwithstanding the Australian Agricultural Company (AACo) monopoly over the Newcastle coal reserves, a great deal of coal mining was carried out in the Burwood Seam on Mitchell's land by various lessees during the early 1840s (Dixon, 1935; Smith, 1966). As the land between Mitchell's holdings and Newcastle was still owned by the AACo at this early time, Mitchell had to conduct any transport to and from his Burwood enterprises and the Newcastle harbour by horse and cart - the long way around.

In 1847, Mitchell obtained permission from the AACo to construct a rail line across their land in order to provide a more direct transport route (Smith, 1966). However, the AACo specified that the rail line was not to be used for the transport of coal. In a demonstration of his shrewd business acumen, Mitchell took the matter to the government and in 1850 a special act of parliament, the Mitchell's Tram Road Act, gave Mitchell right of way over AACo lands (Smith, 1966).

The Homeville Colliery was opened on Mitchell's 400 acre grant in 1880 and the village of Homeville evolved as a worker's township. The small portion of the study area located in the south west extreme of the former Homeville Estate appears to have remained undeveloped other than for transport routes of rail and road. The presence of Stony Creek and the low lying nature of the landform required a steep embankment for the rail line and subsequently a bridge for a road underpass and a substantial double brick culvert for the Stony Creek rail overpass (see Section 2.3.3.1).

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### 2.3.2.1 THE SUBDIVISION OF THE ESTATES

Attempts at subdivision of the large estates into small allotments began as early as 1840 but generally the subdivision of the large estates occurred during the late 1800s, (Thorpe, 1994). The larger estates closer to the town centres were the first to be subdivided and sold off. The economic recession of the 1890s slowed sales of land and following the discovery of coal, much of the area was reserved by the Government for mining, thus many of the old properties remained intact until the early 1900s. In 1907 the suburbs of Lorn, Telarah, Homeville and Rutherford were developing, most likely in response to the growth of coal mining in the area and the need for worker's housing close to the mines. Suburbanisation became even more pronounced in the 1920s and 1930s (Thorpe, 1994) with the expansion of not just coal mining but other industry, commerce and services in the area.

A patchwork of suburbs appeared, usually in association with a coal mine, but in between the housing estates farms and grazing paddocks remained. The Parish Map of 1969 (refer to Figure 2.5) illustrates, at this time, the area of closer development to the east of the study area and north of the

railway line. The area of the former Rutherford estate comprising the study area remains large rural holdings, although much subdivided from the historical holding.

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### 2.3.3 SURROUNDING/ASSOCIATED DEVELOPMENT

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#### 2.3.3.1 THE GREAT NORTHERN RAILWAY

At the Newcastle settlement, the Hunter River Railway Company was formed in 1853 to build a line from Newcastle to Maitland. In 1855, it transferred its works to the government. The line from Newcastle to Maitland opened in 1857 and an extension to Lochinvar was completed by 1862. The line was further extended to Branxton in 1862 and to Singleton in 1863.

The northern boundary of the study area bounds the section of the Great Northern Railway (the GNR, also now referred to as the Main Northern Railway) beyond Maitland. Within the general context of the study area, the line to Branxton opened on 24 March 1862, and the line to Singleton opened on 7 May 1863. Stations were opened along the railway at Farley (then called Wollombi Road) and Lochinvar on 2 July 1860, Branxton on 24 March 1862, Allandale on 29 June 1869, Greta (then called Farthings) and Belford on 6 September 1869. In 1886, a platform was opened at Rutherford, re-named Rutherford Junction in 1941.

The resources of the Great Northern Railway, including artefacts, earthworks, crossings, culverts and bridges, and railway station precincts comprise material evidence of a great engineering endeavour of the 19<sup>th</sup> Century. They reflect the expansion of popular settlement west from Maitland in the mid-to-late 19<sup>th</sup> Century, while concurrently establishing the foundation for large scale extractive industry that created the environment for rapid and sustained population growth. They created the transport function that facilitated rural prosperity into the distant north and north-western hinterland and they present a snapshot of the original and evolutionary technology of railway construction and maintenance between the mid-19<sup>th</sup> and early 21<sup>st</sup> Centuries.

An integral part of the original construction of railway lines in the 1850s and 1860s were small brick arches that were used to construct culverts to function as cross drainage structures to allow catchment runoff from outside the rail corridor to flow through the rail corridor and avoid flooding.

One of the early engineers to contribute substantially to bridge and culvert design and construction in Australia was John Whitton. John Whitton arrived in Sydney at the time of the completion of the Newcastle to Maitland line in 1857. He was appointed to the government railways as Engineer-in-chief based on his knowledge and experience in railway and bridge construction in England.

Whitton appreciated that the approach to the design of a bridge or culvert was intimately tied to the environment and was dictated by the circumstances under which the bridge was to be constructed or to function. Each site along the northern railway line was topographically different and the availability of materials and labour varied. Hence each bridge and culvert became a unique structure. In the more remote areas, culverts were often constructed of bricks which were produced on site by the railway and burnt on site in brick 'clamps'.

Whitton is recognised as a significant railway identity in Section 9.2 of the NSW Railway (railcorp) Thematic History, where he is described as "formidable".

## STONY CREEK UNDERBRIDGE

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The underbridge over Stony Creek (see Figure 2.7) is located closely proximate the eastern extreme of the study area, and along with the bridges over Black Creek and Anvil Creek, is regarded as rare contributions to the overall significance of the Railway's heritage resources. These underbridges were most likely designed and constructed under the supervision of engineer John Whitton and attract historical significance through this association.



Figure 2.7  
Northern elevation of double brick arch culvert over Stony  
Creek, Farley. Constructed circa 1860.  
Photograph by Sue Singleton.

## FARLEY RAILWAY STATION

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The remains of the Farley railway station were identified by MCC in their planning actions for consideration in future land use planning associated with the Farley Investigation Area. The station remains were located within the railway corridor of the Great Northern Railway and while the corridor forms the northern boundary of the study area, the former Farley Railway Station remains fall outside the study area.

The Farley Railway Station was opened on 2 July 1860 and the station was originally called 'Wollombi Road'. The station was at this time represented by a typical platform serving the present down line, with brick building(s) and platform awning on iron cantilever frames similar to those surviving at Greta and Branxton. In 1882, the station was renamed 'Farley' and after nearly 100 years of service, the station was closed 20 September 1975. The building(s) were demolished sometime after 1987. On the western side of the Wollombi Road a long disused platform on the downside remains with parts of the brick platform facing remain today, although obscured by weeds and accumulated sediment, see Figure 2.8 for a detail view of remaining platform face.



Figure 2.8  
View of brick platform face of the former Farley Railway Station  
looking downline. Note brickwork laid in English Bond.  
Photograph by Sue Singleton, November 2009.

#### STOCK CROSSING, FARLEY

Associated with the former Farley Railway Station was an underpass designed as a stock crossing. This unusual box culvert underpass was located a short distance to the east of the Farley Railway Station. Brickwork was laid in English Bond and the structure likely dates to original track construction circa 1860. The underpass would have been used to move stock between paddocks by nearby landowners whose runs had been bisected with access cut by the railway. Relatively recent modifications had been carried out for reinforcement and the floor was of recent concrete, likely replacing an original brick floor (refer to Figure 2.9).





Figure 2.9  
View of box culvert used for stock crossing.  
Thought to have been constructed circa 1860.  
Photograph by Sue Singleton.

#### STATION MASTERS HOUSE

Located within the study area in the north east extreme is the Farley Station Master's House (see Figure 2.10), constructed in association with the Farley Railway Station in about 1860. The house sits upon a large parcel of land with a north easterly aspect as shown in Figure 2.11. The aspect is contrary to the surrounding development which is orientated towards Wollombi Road. The house is now in private ownership.

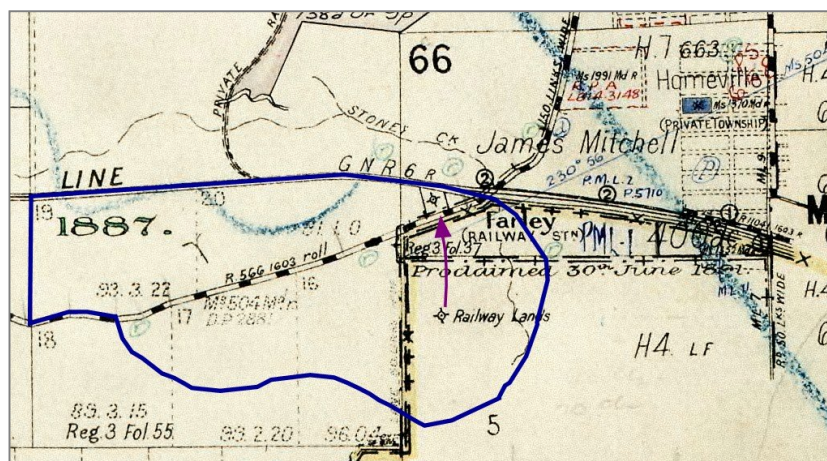


Figure 2.10  
Gosforth Parish Map 1920, showing railway land at location of  
Station Masters House at present day 120 Wollombi Road, Farley  
Source: LPI Parish Map Series.



Figure 2.11  
Former Farley Station Masters Residence, 120 Wollombi Road, showing its historical context in the orientation of the house to the north east and the expanse of surrounding land and garden. Wollombi Road visible at left.  
Photograph by Sue Singleton.

#### 2.3.4 THE GREAT NORTH ROAD (WOLLOMBI ROAD)

The Great North Road was constructed in a period of rapid colonial expansion. The road was constructed by convict labour between 1826 and 1836 to provide a land link between Sydney and growing settlements in Hunter Valley. The original line ran between Baulkham Hills and Wollombi via Wisemans Ferry. From Wollombi it originally ran north east to Maitland and Newcastle. Later, during construction, branches were added to the upper and middle Hunter Valley via Broke. Figure 2.12 is a map of the road produced as a result of much research by the Convict Trail Project.

John Howe is credited with opening a land route from Windsor to the upper Hunter, known then as the Bulga Road (now the Putty Road). However, the rapid rate of expansion to the Hunter Valley soon made the Bulga Road inadequate and in 1825 surveyor Heneage Finch was sent to find a better route.

The settlers of the Hunter Valley, many of whom were wealthy and well connected, presented a petition to Governor Brisbane in early 1826. By late 1826, construction work had begun at the Sydney end of the road and in 1827, road gangs were sent to Newcastle to begin construction from that end.

Major Thomas Mitchell resurveyed the line of the road in 1827, particularly the southern portions, believing the best road was a straight road. The section of road beyond Wollombi was laid out by Mitchell in 1832. However, by this time Government motivation to complete the road had waned. The road was cleared by private contract in 1834, and construction began in 1835 by convict gangs supervised by Peter Ogilvie.

Much of the original convict road remains in use today although a lot of the original surface is well buried beneath bitumen ([www.convictrail.org](http://www.convictrail.org)). Convict built remains, such as stone retaining walls and stone culverts built in dry stone (no mortar) are still located along the road. On occasion, the grave of convict is located along the roadside, but many more unknown and unmarked graves are likely to occur.

North of Cessnock, the Great North Road followed what is now Old Maitland Road through Sawyers Gully to Rutherford. Sawyers Gully contains a number of convict-built culverts which remain in use, including a double culvert, the only one remaining on mainland Australia. An old timber and rubble bridge has been bypassed, but it remains beside the road. Local legend tells of the graves of convict road-workers in the Sawyers Gully area, but their exact location is unknown ([www.convictrail.org](http://www.convictrail.org)).

A toll-gate operated at Campbells Hill, near the junction of the Great North Road and what is now the New England Highway. Bushranger Thunderbolt held up the toll-keeper there in 1863. He met his victim again a few hours later while enjoying a drink in the nearby Spread Eagle Inn, and returned the cash-box to him! ([www.convictrail.org](http://www.convictrail.org)).

Present day Wollombi Road is thought to travel along the original line of road ([www.convictrail.org](http://www.convictrail.org)). No known drainage or retaining structures occur along the section of Wollombi Road within the study area.

#### CONSERVATION PLAN FOR THE GREAT NORTH ROAD

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A conservation plan for the Great North Road was prepared in 1999. The plan is an advisory document which deals with the historic background and significance of the road, and provides policy and management recommendations. The plan divides the Great North Road into sections that reflect the road's changing nature and character. Each section is further divided into precincts and lists individual items (relics) within each precinct.

Section 7 of the plan is the applicable section for this study and covers the line of road from Broke to Patrick's Plains. There are no individual structural items listed within this section of the Great North Road.

Although lacking in any obvious historic character, this section of the Wollombi Road, as part of the Great North Road, remains in use as an essential transport link. It is this aspect that attracts immense symbolic significance by association with the overall transport route which has carried traffic since the 1820s and 1830s.

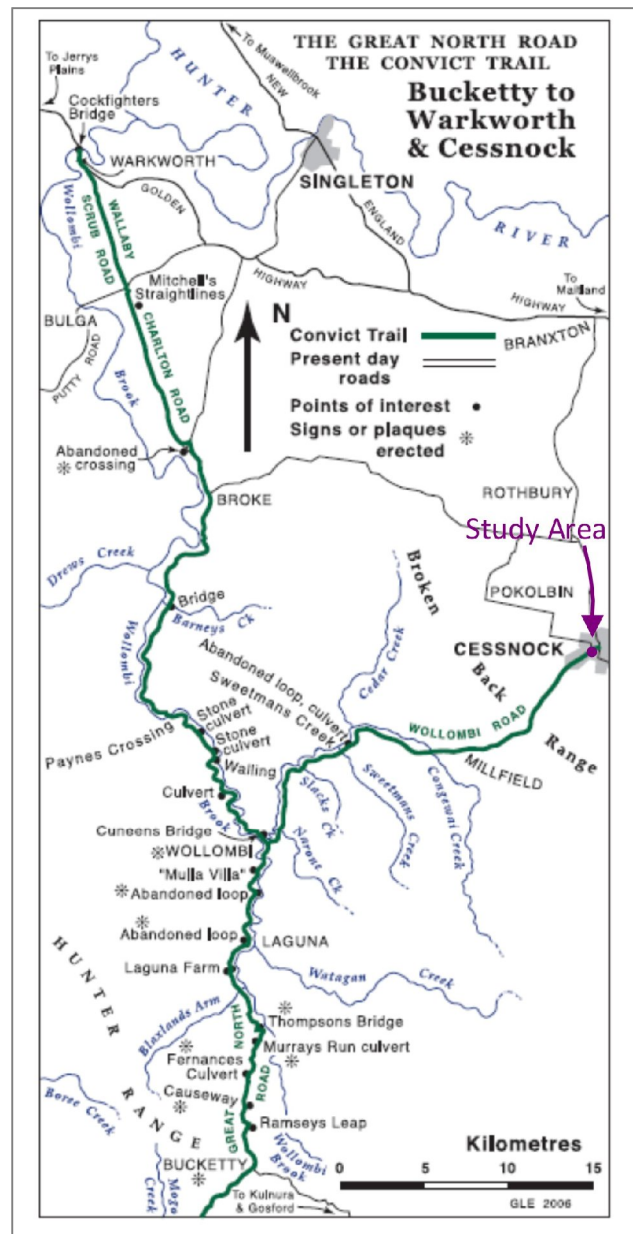


Figure 2.12  
Plan of the Great North Road.  
Source: Convict Trail Project

#### 2.3.4.1 RAVENSFIELD STONE QUARRY

Browne's Quarry, also known as Ravensfield Quarry (see Appendix 1), is a recognised heritage item located closely proximate to the southern boundary of the study area. A brief history is provided here given the close proximity.



Thomas Browne arrived in Australia in 1855 as a one year old infant with his Scottish parents, Thomas and Elizabeth Browne. The Brownes first settled in Maitland and moved to Ravensfield (sic) in the early 1860s. The Ravensfield locality, as it was later recorded, can be seen on the Parish Map of 1969, (see Figure 2.5) located to the south of the study area.

On leaving school, Thomas Browne was apprenticed into the stone trade and in 1875, at the age of 21, Thomas established his own business in stonemasonry. Thomas Browne's work can be found all over Australia. One of his first contracts was building the Gothic St Mary's Tower in Church Street, West Maitland. The first St Mary's Church was built in 1837 but became structurally unsound. Edmund Blacket designed the new church building which was opened in 1867.

Much of Browne's work is evident in the graves and headstones throughout the Hunter. On occasion, Thomas worked with well known Maitland architect John Pender.

Thomas died in 1929 just before his 75<sup>th</sup> birthday. His son Robert continued the stonemasonry business until November 1981, when he decided to retire at age 85 (Singleton Family History Society, 2010).

## 2.4 PRESENT DAY CONTEXT

A site inspection, carried out by vehicular and pedestrian survey, was recorded by digital photography, in order to place the study area in its present day context. The surface study sought to identify and make a preliminary interpretation of any material evidence of former use and/or occupation. Figure 2.13 provides a record of the site survey of the study area showing orientation of views. All photographs by Sue Singleton.

The study area comprised mostly open land to the north and south of Wollombi Road. At the eastern extreme of the study area, fronting Wollombi Road, was a cluster of residential dwellings of various ages. Access to both Wollombi Road and the railway line would have been the impetus to build homes here in past times.

On the eastern corner of the intersection of Owlpen Lane and Wollombi Road, (157 Wollombi Road) stood a timber house, possibly circa 1900. At 151 Wollombi Road, a brick cottage was observed although obscured by garden vegetation. On the eastern aspect of the cottage, a rendered beehive structure was observed and this is possibly underground water storage, commonly constructed in the mid-to-late 19<sup>th</sup> Century (see Photographs #4 and #5 in Figure 2.13).

The Farley Station Masters House at, 120 Wollombi Road, remains in a setting that reflects its historical construction. The north easterly aspect of the house is contrary to the surrounding development which is orientated towards Wollombi Road and this is a reflection that little other development had taken place at the time of construction circa 1860.

Wollombi Road provided a good outlook over the study area which was, both to the north and south, undulating land, partly cleared and fenced for grazing, and containing areas of forest, much of which appeared to be regrowth. The Rutherford development was visible to the north and the Watagan Range visible to the south. Wollombi Road was a modern bitumen surface with kerb and gutter in the eastern residential area but most of the road comprised gravel verges. No historical structures or formations were observed during site survey.

Owlpen Lane marks the western boundary of the former Lochdon Estate and travels south from Wollombi Road to Owlpen House. Along the eastern alignment of Owlpen Lane a cluster of small cottages was observed as shown in Figure 2.14. Although renovated to varying degrees, the cottages along Owlpen Lane appear to be worker's cottages typical of those built by workers in the early 1900s and they retain recognisable visible characteristics, at least externally.



Figure 2.14  
Cottages along the eastern alignment of Owlpen Lane.  
Photograph by Sue Singleton.

The line of Owlpen Lane followed the boundary of the former Lochdon Estate and was likely constructed by Emanuel Hungerford for access to Owlpen House at the time the house was constructed in 1837. Owlpen House was observed on the eastern side of the road approximately 700 metres along Owlpen Lane. The house is surrounded by long established gardens which obscure the view of the house and outbuildings from the road. The house and its outbuildings, sit in a reasonably unchanged setting with outlooks over the low lying land to the east and the valley stretching to the south with the Watagan Ranges then visible in the distance. On the western alignment of Owlpen Lane are relatively recently subdivided rural lots with modern development.

The study area along Wollombi Road, travelling west of Owlpen Lane, comprised rural properties of varying sizes, the result of gradual subdivision since the 1970s. Most of this portion of the study area remains open grazing land with rural homes of relatively recent construction.





Figure 2.13  
Photographic record of site survey showing location plan and orientation of photographs.  
Photographs by Sue Singleton.



## KEY TO PHOTOGRAPHIC RECORD

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1. No 71-73 Owlpen Lane showing entrance to the heritage listed Owlpen House.
2. View along Owlpen Lane looking north and general landscape view of grazing paddocks at left.
3. View of cottages along Owlpen Lane (properties #13 , #14 and #32).
4. House at 157 Wollombi Road on the corner of Owlpen Lane (property #2).
5. House at 151 Wollombi Road (property #8). Note rendered beehive structure at left, possibly underground water storage typical of the mid 19<sup>th</sup> Century.
6. Former Station Masters House at 120 Wollombi Road (property #47)
7. Panorama view of vista looking south from Wollombi Road rail underpass across the former holding of James Mitchell. This area was low lying alluvial flats
8. Panorama view of outlook across study area south of Wollombi Road, the former holdings of Hungerford in distance at left, and the former holdings of Dr Rutherford in foreground.
9. View of vista on northern side of Wollombi Road with suburban Rutherford development visible in background and open grazing land in foreground, the former land holding of Dr George Shaw Rutherford.

## 2.5 SYNTHESIS OF CONTEXTS

This section provides a synthesis of the archaeological, historical and present day contexts and attempts to bring all the information together in order to explain what it all mean in terms of heritage and archaeological value.

Historical investigation has revealed three distinct phases in land ownership history of the study area:

- Early pastoral settlement and development by the pioneering efforts of Rutherford, Hungerford and Mitchell;
- The era of coal mining and the Government reservation of lands for mining purposes; and
- The post coal mining era of subdivision, urban development and small rural holdings.

Research of Statutory lists of heritage items has revealed that there is one listed heritage resource contained within the study area. Owlpen House, located in Owlpen Lane, was constructed by pioneer settler Emanuel Hungerford on his Lochdon Estate in the late 1830s for his son Robert.

To a large extent, the record of estate development and the houses of pioneering families have been diminished by successive subdivisions and the overlying of later periods of building development. The houses which once commanded extensive ground are now found on much reduced curtilages (Thorp, 1994). Contrary to this, Owlpen House retains its historic setting to a large degree with surrounding open space and gardens, and views from the house over the former Hungerford Lochdon Estate.

The location of Emanuel Hungerford's circa 1830 Farley House has not been identified during this study and there is no heritage listing apparent under this name. However, it is possible that this is the house referred to as the 'original' house at Mount Dee and used as offices by the East Greta Coal Company in the late 1800s (see Section 2.3.1.4). If this is the case, the house would likely have been demolished following the closure of the mine and regardless, would not have been located within the present study area.

Evidence of early subdivision of the Homeville Estate (former Mitchell holding) is observed with the development of housing lots along the eastern end of Wollombi Road. The workers cottages along Owlpen Lane have been subdivided from the Lochdon Estate sometime in the early 1900s.

In its historical context, the study area largely comprised the far southerly reaches of the 2560 acre Rutherford holdings which was detached from greater portion of the holdings by the Great Northern Railway in 1860. The portion of the study area comprising the Rutherford holdings, remained, on the whole, open pastoral land although subdivided into smaller pastoral holdings in the early 1900s. No evidence of any development from this period was observed and it is likely that these portions were tenanted or leased by those who lived elsewhere. It is possible that structures related to this era have been renovated for ongoing use or incorporated into current buildings. However, such structures are well represented in the known historical record and would attain little if any significance.

As is evident today, the area provides good pasture for grazing and the stock crossing installed at the former Farley Railway Station attests to its continued use for this purpose following the construction of the railway. Substantial 19<sup>th</sup> Century development was generally concentrated along the Hunter

River and Rutherford would also have concentrated development at the northern extreme of his holding.

It is likely that any structures that might have existed in the study area in the very early period of settlement would have been huts for assigned servants such as shepherds, fencers and labourers. Such huts would have been constructed of readily available material such as timber and bark, materials that survive poorly in the subsurface. Such structures were rarely occupied permanently and were used for short term occupation when required. Thus, the likelihood of survival of any evidence of such structures, and/or the likelihood of the deposit of occupation and personal artefacts within the study area is negligible.

With the exception of Owlpen House, there is no material evidence, or even implied evidence that Mitchell, Hungerford or Rutherford developed the area of the present study for any purpose other than for pastoral purposes. The potential for convict or other structures dating to this early era to occur within the study site is supposition based purely on knowledge of the practices of the pioneering settlers in the area. It is quite possible that fencing or yards were constructed in the area and while remnants of modern fencing were observed, there was no evidence of the remains of post and rail fencing, typical fence construction of the 19<sup>th</sup> Century.

Historically the Great North Road was the first made road north of the Hawkesbury, constructed by convict gangs between 1826 and 1836. The road is tangible evidence of the expansion of the colonial population from Sydney and Newcastle. Many precincts of the road remain in relatively unspoiled environments which are evocative of the frontier setting in which construction took place. Within the current study area, while the line of the road remains original, the road has remained in use as an essential transport corridor and has been upgraded to meet modern day requirements. No known historical drainage or retaining structures associated with road construction occur within the study area.

While the Ravensfield Quarry is closely proximate to the southern boundary of the study area, no historical connection between the study area and the quarry has been established upon which to base any associated heritage value. There is no reasonable expectation for the development within the study area to impact upon any heritage values specific to the former Browne's Quarry.

Other heritage resources identified in the surrounding areas, beyond the limits of the study area, are not at any risk of negative impact as a result of this project.

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### 2.5.1 POTENTIAL HERITAGE CONSIDERATIONS

Based on the synthesis of the context studies and an overall understanding of the heritage values of the study area, the following items are considered valuable heritage components and are worthy of consideration in any development planning process:

- The Wollombi Road alignment – the retention of the existing line of road will maintain the historical link with the convict built Great North Road.
- Station Masters House – retain present land area around the house in order to maintain a reasonable curtilage to represent and reflect the original circa 1860 setting and connection with Farley Railway Station and the Great Northern Railway Line.

- Workers Cottages Owlpen Lane - retain workers cottages on Owlpen Lane as representative of the former coal mining era.
- Owlpen House – maintain adequate curtilage to retain historic setting and incorporate any areas of archaeological potential.
- Circa 1900 houses on Wollombi Road – maintain adequately sized street frontage in any development planning such that the pattern of 1900 subdivision is retained.

## 2.6 POTENTIAL ARCHAEOLOGICAL RESOURCES

Archaeological sites are generally more difficult to assess than above ground heritage items because the any assessment will be reliant upon predicted, rather than known attributes. The fact that relics and other components of an archaeological site are below-ground and therefore not visible may pose a challenge to accurate assessment.

The main aim of an archaeological significance assessment is to identify whether an archaeological resource, deposit, site or feature is of cultural value – a relic. For archaeological sites that contain relics, understanding the significant values is critical as these sites are a non-renewable resource.

Archaeological significance may be linked to other significance categories especially where sites were created as a result of a specific historic event or decision, or when sites have been the actual location of particular incidents, events or occupancies.

This section reviews the archaeological potential and the archaeological research potential of the study area, that is, the nature and location of sub-surface relics that may be exposed during the course of the project and the value of any such relics to contribute knowledge that:

- no other resource can?
- that no other site can?
- is relevant to general questions about human history, Australian history or other major research questions?

The emphasis in these three questions is on the need for archaeological research to add to the knowledge of the past in an important way, rather than merely duplicating known information or information readily available from other historical sources.

### 2.6.1 POTENTIAL ARCHAEOLOGICAL RESOURCES WITHIN THE STUDY AREA

Based on similar archaeological studies in the area, particularly at the neighbouring Dagworth Estate, any substantial historic development related to the pioneering era would have occurred in close proximity to a homestead. Outbuildings, stock yards, and the like often survive to some degree, on occasion being incorporated within other structures. Convict accommodation rarely survives due to the temporary nature of structures and the materials of constructions such as timber and thatch, materials that do not survive well.



Homesteads were typically built on a site that offered a good view over the estate, usually with close access to transport routes. Typically an area was cleared initially for the construction of temporary buildings while further clearing went ahead and crops were planted. The more substantial and permanent structures such as homesteads, stables and dairies were constructed once the land was making a return and resources could be spared.

Notwithstanding a reasonable curtilage surrounding the heritage listed Owlpen House, the absence of any evidence to indicate that any significant historical development existed elsewhere within the study area reduces the potential for significant archaeological resources to exist.

In the absence of any evidence to indicate development related to the pioneering era within the former Rutherford and Mitchell holdings, there is no reasonable indication that any archaeological potential exists within the balance of the study area.

Based on the review of historical, archaeological and physical contexts, it is reasonable to conclude that any archaeological potential within the study area would be related to Owlpen House. It is reasonable to conclude that the balance of the study offers no potential for significant archaeological resources or any heritage resources that will contribute additional information to that already known.

## 2.7 HISTORICAL THEMES

The question of research potential lies in whether archaeological study may reasonably be expected to answer research questions. The identification of historical themes relevant to the study area can assist in formulating research questions so that any research can meaningfully contribute to the historical and archaeological records.

As a means of evaluating the entire state's heritage in a consistent and standard manner, historic themes have been developed. Historical themes are considered at National, State and local levels. The nine National themes address broad issues of the development of Australia as a nation, with classifications related to Australia's natural evolution, peopling the nation, developing a range of economies, settling the country, work, education, government, cultural development and the phases of life in Australia.

These National themes are then sub-classified into 38 State themes, as follows:

- (Australia's natural evolution) the natural environment;
- (peopling the nation) Aboriginal, convict and ethnic origins, and migration;
- (developing a range of economies) agriculture, commerce, communication, the cultural landscape, events, exploration, fishing, forestry, health, industry, mining, pastoralism, science, technology and transport;
- (settling the country) urbanisation, land tenure, utilities and accommodation;
- (work) labour;
- (education) education;
- (government) defence, government and administration, law and order and welfare;
- (cultural development) domestic life, creative endeavour, leisure, religion, social institutions and sport;
- (the phases of life in Australia) birth and death, persons.

Local themes reduce the National and State themes to their local association and application. These themes focus upon aspects specifically relevant to the local area and particularly those relevant to a study area.

## 2.7.1 THEMATIC HISTORY FOR MAITLAND 1994

A thematic history for Maitland Council was prepared by Wendy Thorp in 1994 and this study identified eight themes that reflect what was found to be those principal catalysts in the history of Maitland. Those themes were:

- The River and Land – The influence of topography
- Exploration, Exploitation and Convicts
- Estate Development – Pioneers, Gentlemen and Tenants
- Urban Growth
- A Regional Centre
- Communications
- Industry and Natural Resources
- A Unique Heritage – Preservation, Conservation and Heritage.

Thorp, 1994, explains that no one theme is more important than any other; each theme has been as important as the other although in quite different, and in many cases, interlinked ways.

## 2.7.2 APPLICATION OF HISTORIC THEMES TO THE STUDY AREA

On the basis of historical and archaeological research, and with reference to themes adopted for use in the NSW heritage management system, along with themes identified in Thorp's 1994 thematic study, the historic themes relevant to the study are set out in Table 2.1.

Table 2.1 - Historical Themes applicable to the Study Area

National	State	Local Themes/Application
Peopling the Nation	Environment	Exploration, Exploitation Demonstrated by the selection of large land holdings, particularly by Rutherford and Hungerford, in the Hunter, where the associated alluvial flats offered the potential for prosperous pastoral pursuits.
Settling the country	Land tenure, Convict, Pastoralism, Agriculture, Land tenure,	Estate Development – Pioneers, Gentlemen and Tenants Demonstrated by the selection of the large estates of Hungerford, Rutherford and the entrepreneurial accumulation of land by Mitchel; the use of convict labour to initially clear and develop the land for agriculture and pasture. early land holders and pastoral pioneers.
	Urbanisation	Urban growth Demonstrated by the pattern of residential and rural subdivision since about 1900.
Developing a range of economies	Pastoralism, Agriculture, Mining	Industry and Natural Resources Demonstrated by the discovery of coal in Maitland and the government reservation of land for mining purposes which effectively prevented subdivision of the large estates. Also demonstrated by the villages and townships that eventually developed for mine workers.
Work	Labour	Industry Demonstrated by the use of convicts as the first farm labourers, and the evolution of work from farm based to mining in the late 1800s and early 1900s.

### 3 HERITAGE VALUES OF THE STUDY AREA

#### 3.1 INTRODUCTION

The Heritage Act 1977 was enacted to ensure that the environmental heritage of New South Wales would be adequately identified and conserved. The Act established the Heritage Council of New South Wales, which make recommendations to the Minister for Planning on the implementation of the Heritage Act. The provisions of the Heritage Act with particular reference to the management and conservation of archaeological sites in New South Wales are those which relate to relics and the provisions for the listing of significant items in the State Heritage Register.

The evaluation of heritage values depends upon the assessment of significance together with any potential for expansion of existing levels of knowledge. An appreciation of these factors assists in estimating the level of impact that any disturbance, damage or destruction may have on the assessed heritage values.

The NSW Heritage Act, 1977, defines heritage items to be:

Those buildings, works, relics or places of historic, scientific, cultural, social, archaeological, architectural, natural or aesthetic significance for the state of New South Wales.

and defines a relic falling within that definition to be:

any deposit, artefact, object or material evidence that:

- (a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and
- (b) is of State or local heritage significance.

#### 3.2 ASSESSMENT OF HERITAGE SIGNIFICANCE

An assessment of significance is undertaken to explain why a particular site or item is important, and to enable appropriate best practice heritage management to be determined. Considerations material to a heritage significance assessment include whether a site, or the fabric contained within a site, contributes knowledge or has the potential to do so.

While the fabric of the archaeological record is the subject of the assessment of significance, the assessment itself is affected by the environmental and historical context of the site at the time of the assessment. In this light, significance can be seen as a variable quality. It follows that the evaluation of heritage significance is not a static value, but rather is evolutionary as a function of changing community perspectives and cultural values.

##### 3.2.1 ASSESSMENT CRITERIA

The NSW heritage assessment criterion encompasses the four values in the Australia ICOMOS<sup>5</sup> Burra Charter and these four broad values are used to assess the heritage significance of an item. It is

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<sup>5</sup> ICOMOS – International Council on Monuments and Sites

important for items to be assessed against these values to ensure consistency across the State. While all four values should be referred to during an assessment, in most cases items will be significant under only one or two values. The four values are:

- historic significance;
- aesthetic significance;
- scientific significance; and
- social significance.

In order to apply a standardised approach to the assessment of these four values relative to items and individual elements within or contributing to items, the NSW Heritage Office (2001:9) has defined a series of seven criteria that will be used by the Heritage Council of NSW as an assessment format within NSW. To be assessed as having heritage significance, an item must meet at least one of the criteria detailed below.

Historic significance is identified by:

Criterion (a) the importance of an item in the course or pattern of the cultural or natural history of NSW or a local area.

Criterion (b) the existence of a strong or special association between an item and the life or works of a person or group of persons important in NSW or a local area.

Aesthetic significance is identified by:

Criterion (c) the importance of an item in demonstrating aesthetic characteristics and/or a high degree of creative or technical achievement in NSW or a local area.

Social significance is identified by:

Criterion (d) the existence of a strong or special association between an item and the social, cultural or spiritual essence of a particular community or cultural group within NSW or a local area.

Scientific significance is identified by:

Criterion (e) the potential of an item to provide information that will contribute to an understanding of the cultural or natural history of NSW or a local area.

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### 3.2.1.1 DEGREE OF SIGNIFICANCE

In addition to the above criteria, in order to describe the degree of significance, an item may be assessed as being either 'Rare' or 'Representative' within its community/cultural/geographical level as distinguished by criterion (f) for rarity or (g) for representativeness.

Thus, degree of significance is identified by either:



## Rarity

Criterion (f) the quality of an item to possess uncommon, rare or endangered aspects of the cultural or natural history of NSW or a local area; or

## Representativeness

Criterion (g) the demonstration by an item of the principal characteristics of a class of cultural or natural place or cultural or natural environment within NSW or a local area.

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### 3.2.1.2 LEVEL OF SIGNIFICANCE

Another aspect of assessment of significance is the level of significance of an item. Level is assessable in two classifications pursuant to NSW Heritage Office (2001) depending upon the breadth of its identifiable cultural, community, historical or geographical context.

Local level identifies the item as being significant within an identifiable local and/or regional cultural and/or community group and/or historical/geographical heritage context;

State level identifies the item as being significant within an identifiable State-wide cultural and/or community group and/or historical/geographical heritage context;

but on a broader front, recognition of an item at the:

National level identifies the item as being significant within an identifiable national cultural and/or community group and/or historical/geographical heritage context;

International level identifies the item as having implications of significance for an identifiable cultural and/or community group both nationally and abroad and/or a world-wide historical/geographical heritage context.

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### 3.2.2 APPLICATION OF STANDARD ASSESSMENT CRITERIA

This section provides a discussion and explanation of the significance of the study area in relation to the seven criteria specified by the NSW Heritage Council as detailed above.

Criterion (a) and (b) - Historical is theoretically met due to the historical association with identified the historical pioneering family of Emanuel Hungerford. There is further historical association with early pioneering efforts and land owners in Dr George Shaw Rutherford and Dr James Mitchell.

However, as the area has been modified by 20<sup>th</sup> Century use, there is little tangible evidence of this earlier association.

Evidence of 19<sup>th</sup> Century occupation includes:

- The line of Wollombi Road – a section of the Great North Road;
- The Great Northern Railway and associated Station Masters House; and
- The heritage listed Owlpen House.

Evidence of the early 20<sup>th</sup> Century occupation includes:

- The residential area at the eastern extreme of the study area along Wollombi Road including the more substantial cottages at No 151 and No 157 Wollombi Road; and
- The workers cottages in Owlpen Lane.

Criterion (c) - aesthetic significance is demonstrated through individual items within the study area: to a degree through the location of Owlpen House and the vistas and views afforded from the house across the valley; through the line of workers cottages in Owlpen Lane in relation to their distinctive style of construction; and through the setting in which the Farley Station Masters Cottage sits and also due to its easy visibility from Wollombi Road. However, in the context of the overall study area, aesthetic significance is not demonstrated as there is no observable material evidence to link the area to a particular historical period.

Criterion (d) – social is not met as there is no known association with an identifiable social group nor does the study area known to contribute to any community sense of place.

Criterion (e) – scientific potential is extremely unlikely due to the known historical context of the study area and limited 19<sup>th</sup> Century historical development, in addition to 20<sup>th</sup> Century modification and use of the area. While the existence of archaeological remains can rarely be discounted entirely, the study site is considered to have no significant archaeological or research potential.

Criterion (f) – rarity is not relevant.

Criterion (g) - representativeness can only be tentatively applied to the historical association with former historical landholders. Those items identified within the study are considered representative of their type while, at the same time, other examples of their types are known to exist within the Maitland Local Government Area.

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### 3.2.3 RELEVANT LEVEL OF SIGNIFICANCE

While the study area as a whole is not considered significant, specified items within the study area would attain a local level of significance.

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### 3.2.4 STATEMENT OF HERITAGE SIGNIFICANCE

While the study area as a whole can be associated with the pioneering families of the Maitland region, and the development of the large pastoral estates of the early 19<sup>th</sup> Century, tangible evidence of historic development within the study area is limited Owlpen House. There is also limited aesthetic significance associated with the views and vistas afforded across the valley of open agricultural land to the south and of the townscape to the north.

The Great North Road is an item of National Heritage significance and has recently attained World Heritage Listing. However, the section of the road that is contained within the study area does not include any individual items of heritage significance. Thus, any heritage significance is related to the road alignment as part of the entire Great North Road.

While the overall study area may attain apparent historical significance, on the basis of the above assessment criteria, it is the individual elements within the study area that attract individual significance at a local level. In light of the assessment process, the study area as a whole does not meet the criteria for significance.

### 3.3 CULTURAL LANDSCAPE CONSIDERATIONS

The Burra Charter (1999) defines place as “site, area, land, landscape, building or other work, groups of buildings or other works, and may include components, contents, spaces and views”. Setting is defined as “the area around a place, which may include the visual catchment”. That is, the setting of a heritage item may contribute to its significance.

Cultural landscapes can include homesteads and farmlands, remnant vegetation, Aboriginal sites and places, wetlands, early settlements, parklands, disused cemeteries, defunct industrial complexes and so on.

There are three categories of cultural landscape to consider:

- Designed - clearly designed and created intentionally by people. Embraces garden and parkland landscapes constructed for aesthetic reasons which are often (but not always) associated with religious or other monumental buildings and ensembles.
- Evolved – a result of the connection and/or interaction between an intentional design and the landscape in which it sits, its present form developed by association with and in response to its natural environment.
- Associative – identifiable connection between religious, artistic or cultural associations and the natural landscape rather than material cultural evidence.

As urban expansion occurs, and with the pressures to develop and redevelop, cities and towns are losing open spaces, cultural landscapes, green corridors and amenity<sup>6</sup>. The NSW Heritage Office has identified the depletion of cultural landscapes as an important issue threatening the cultural values and lifestyles of our cities. Strategic planning will play a vital role in finding the balance between the needs of today and the protection of cultural landscapes.

### 3.4 PROJECT WORKS AND HERITAGE IMPACT

#### 3.4.1 SUMMARY OF PROJECT WORKS

Planned re-zoning and development of the study area for residential purposes implies the following design requirements:

- Subdivision of the study area into lots for suburban residential occupation;
- Clearance of vegetation and timber for the construction of roads and drainage;
- Excavation for the installation of underground service infrastructure; and
- The reservation of open areas for recreation.

The subsequent development of individual residential lots would require:

- The broad clearance of lots;
- Excavation for cut and fill for site levelling purposes;
- Excavation for sub-surface services and construction of footings; and
- Construction of residential buildings and other fixtures such as in-ground swimming pools and outdoor living areas.

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<sup>6</sup> Atmosphere, feel, setting, mood, attractiveness, comfort.

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### 3.4.2 STATEMENT OF HERITAGE IMPACT

A statement of heritage impact (SOHI) is prepared to assist in the review and approval process when a project could impact upon a heritage item. The purpose of a SOHI is to explain how the heritage value of an item might be affected by the development. Impact may be positive when an item is to be conserved or enhanced or impact may be detrimental if the site is to be disturbed or destroyed.

According to the guidelines of the NSW Heritage Manual, the following statements are addressed to the study as part of the SOHI.

The following aspects of the proposal respect or enhance the heritage significance of the study area for the following reasons.

This heritage study has been carried out prior to any detailed planning in order that any heritage considerations are incorporated at the planning stage. As such any impact upon heritage significance, or impact upon elements within the study area that attract heritage significance, may be respected through considered planning decisions.

The following aspects of the proposal could detrimentally impact on heritage significance. The reasons are explained as well as the measures to be taken to minimise impacts.

The loss of visual amenity could be considered a detrimental impact on the heritage values of individual items. However, the need to find a balance between the needs of today and the preservation of cultural landscapes makes such impact unavoidable. Any impact may be minimised through strategic planning in lot placement and lot size, and the strategic location of roads and services.

The following sympathetic solutions have been considered and discounted for the following reasons.

At this stage, prior to detailed planning, the consideration of sympathetic solutions is not possible.

### SUMMARY STATEMENT OF HERITAGE IMPACT

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The assessment of significance concluded that the study area as a whole did not attract heritage significance but rather elements within the study attracted individual significance. The main impact anticipated through rezoning and redevelopment would be the loss of visual amenity and the loss the cultural landscape associated with the pioneering pastoral era of the early 1830s in Wallis Plains (Maitland). The loss of curtilage surrounding individual items within the study may be managed strategically in order to minimise loss while, at the same time, balancing the present day needs for residential development.



## 4 HERITAGE MANAGEMENT

### 4.1 STATUTORY CONSIDERATIONS

Ideally, significant archaeological resources should remain undisturbed to be conserved in situ within the framework of the Burra Charter. Such a course is frequently impossible or impractical and questions are posed by the conflicting aims of heritage on the one hand and progress and development on the other. Relevant to the parallel issues of site conservation and the need for development and redevelopment is NSW heritage legislation. The major implications of statutory legislation in NSW are summarised in Table 4.1. In particular this summary addresses the implications of the Heritage Act 1977 (NSW) and the Environmental Planning and Assessment Act 1979 (NSW);

The Heritage Act provides automatic statutory protection for relics in Sections 139 to 145 of the Act. The Act prevents the excavation or disturbance of land for the purpose of discovering, exposing or moving a relic except in accordance with a approved permit.

Table 4.1 - A Summary of Statutory Provisions (NSW)

Act	Provisions
The NSW Heritage Act, 1977 (the Act)	<p>provides for the protection of historic heritage and provides the process and criteria for listing of heritage deposits and/or relics that are of State significance on the State Heritage Register and those that are of Local significance on the State Heritage Inventory. Archaeological sensitivity and the potential for heritage value may be indicated by historical research and/or site-based archaeological study. Where historical research and/or archaeological study indicates sensitivity, the discovery of relics is highly likely if the ground surface is disturbed. Pursuant to amendments to the Heritage Act that were proclaimed 16 October 2009, a relic is defined as:</p> <p style="padding-left: 40px;">... any deposit, artefact, object or material evidence that:</p> <p style="padding-left: 40px;">(a) relates to the settlement of the area that comprises New South Wales, not being Aboriginal settlement, and</p> <p style="padding-left: 40px;">(b) is of State or local heritage significance.</p> <p>The Act further provides statutory protection from disturbance/destruction of sites and relics in a range of descriptions (ss.24-34, 35A-55B, 130, 136-7, 139) and for their registration or listing (ss.26(2)(b), 35A,36,37, 44). In particular, it provides that no disturbance or excavation may proceed that may expose or discover relics except with an Excavation Permit and that an excavation permit is required, if a relic is:</p> <ul style="list-style-type: none"> <li>• listed on the State Heritage Register, pursuant to s60; and</li> <li>• not listed on the State Heritage Register, pursuant to s140.</li> </ul> <p>In circumstances where there is little likelihood that relics exist or are unlikely to have heritage value, and/or that disturbance will result in a minor impact and/or where excavation involves removal of fill only, the act makes provision for the granting of an exception to an excavation permit under s139 (4).</p> <p>A copy of the NSW Heritage Act (1977) may be viewed at <a href="http://www.austlii.edu.au">http://www.austlii.edu.au</a>.</p>
The Environmental Planning and Assessment Act 1979 (NSW)	contains similar protective measures to those contained in the Heritage Act. The act also provides for sites to be in Local and Regional Environmental Plans, as sites in development control plans or subject to development controls and/or as subject to planning controls or additional conservation provisions (ss.24-72, 76).

## 4.2 RECOMMENDATIONS

The following recommendations are made with reference to:

- the analysis of archaeological, historical and physical contexts of the study area;
- consideration of the heritage values of the study area and its components;
- the assessment of the significance of the known and potential heritage resources;
- appreciation of anticipated heritage impacts of the proposed development; and
- acknowledgement of the issues and options for management of the resource

### RECOMMENDATION 1

Consideration of the history and heritage of the locality could be given in any name given to the development and by extension the naming of any streets, roads or opens spaces.

### RECOMMENDATION 2

In the planning and orientation of individual lot sizes, that consideration be given to providing a adequate curtilages for:

- Farley Station Masters House; and
- Owlpen House.

### RECOMMENDATION 3

Notwithstanding the curtilage surrounding Owlpen House, there is no reasonable justification to expect the presence of significant archaeological resources to occur within the study area and therefore, no recommendation is made for sub-surface investigation.

### RECOMMENDATION 4

In regard to the possible upgrade of Wollombi Road as an alternative to route to the New England Highway, the line of Wollombi Road should be retained where possible in order to continue to represent the line of the historic Great North Road between Wollombi and Maitland.

### RECOMMENDATION 5

While there is no reasonable expectation for significant archaeological resources to be exposed as a result of this project, the attention of the Principal and all sub-contractors and employees is directed to the NSW Heritage Act 1977 and the provisions of the Act in relation to the exposure of relics (see Table 4.1). The Act requires that if:

- i) a relic is suspected, or there are reasonable grounds to suspect a relic in ground, that is likely to be disturbed damaged or destroyed by excavation; and/or

- ii) any relic is discovered in the course of excavation that will be disturbed, damaged or destroyed by further excavation;

those responsible for the discovery must notify nominated management personnel who will in turn notify the Heritage Council of New South Wales or its delegate, the Department of Planning, NSW Heritage Branch, and suspend work that might have the effect of disturbing, damaging or destroying such relic until the requirements of Heritage Council have been satisfied (ss139, 146).

## 5 REFERENCES

### 5.1 PRIMARY SOURCES

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### 5.2 SECONDARY SOURCES

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## Appendix 1

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Inventory Search Results and  
Location Plan of Maitland LEP Heritage Items

**SCHEDULE 2**

<b>HERITAGE ITEMS</b>		<b>Clause 31</b>		
<b>Column 1</b> <b>Description of Heritage Item</b>		<b>Column 2</b> <b>Significance</b>	<b>Column 3</b> <b>Manner lettered on Heritage map</b>	
<b>BISHOPS BRIDGE</b> Kavensfield Road	Stone Quarry(Brown's)	Regional	No 3	Sheet 1
<b>FARLEY</b> Owlpen Lane 60	<i>Owlpen</i>	Local	No 86	Sheet 1
<b>GOSFORTH</b> Anambah Road	<i>Anambah House</i>	State	No 89	Sheet 1,2
<b>RUTHERFORD</b> New England Highway	Cemetery	Regional	No 226	Sheet 4
<b>TELARAH</b> Junction Street	South Maitland Railway Yards	Regional	No 228	Sheet 5
South Street	Campell's Hill Cemetery	Regional	No 229	Sheet 5
Thomas Street	<i>Dyers Glass (1904)</i>	Local	No 230	Sheet 5

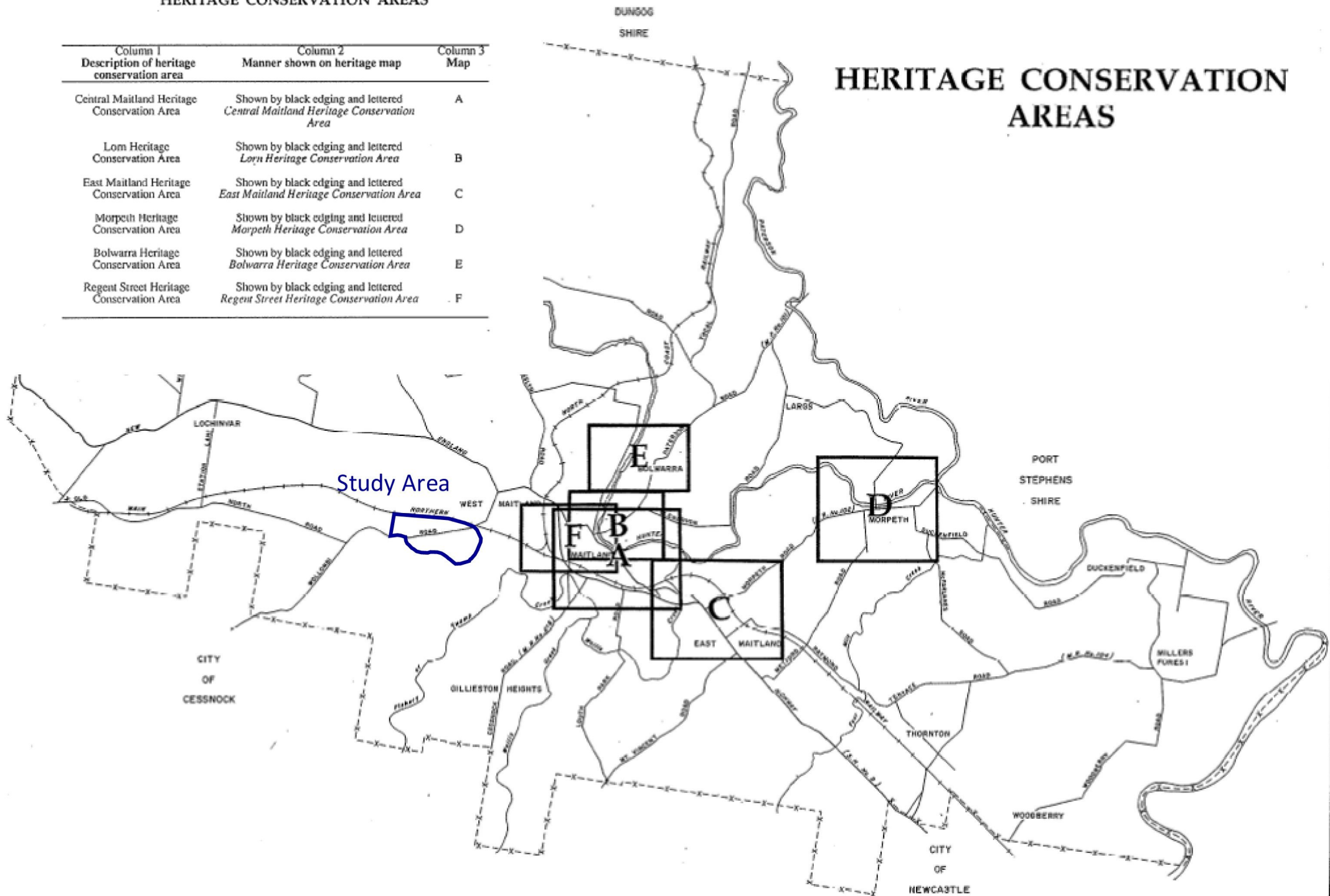
Extracted from

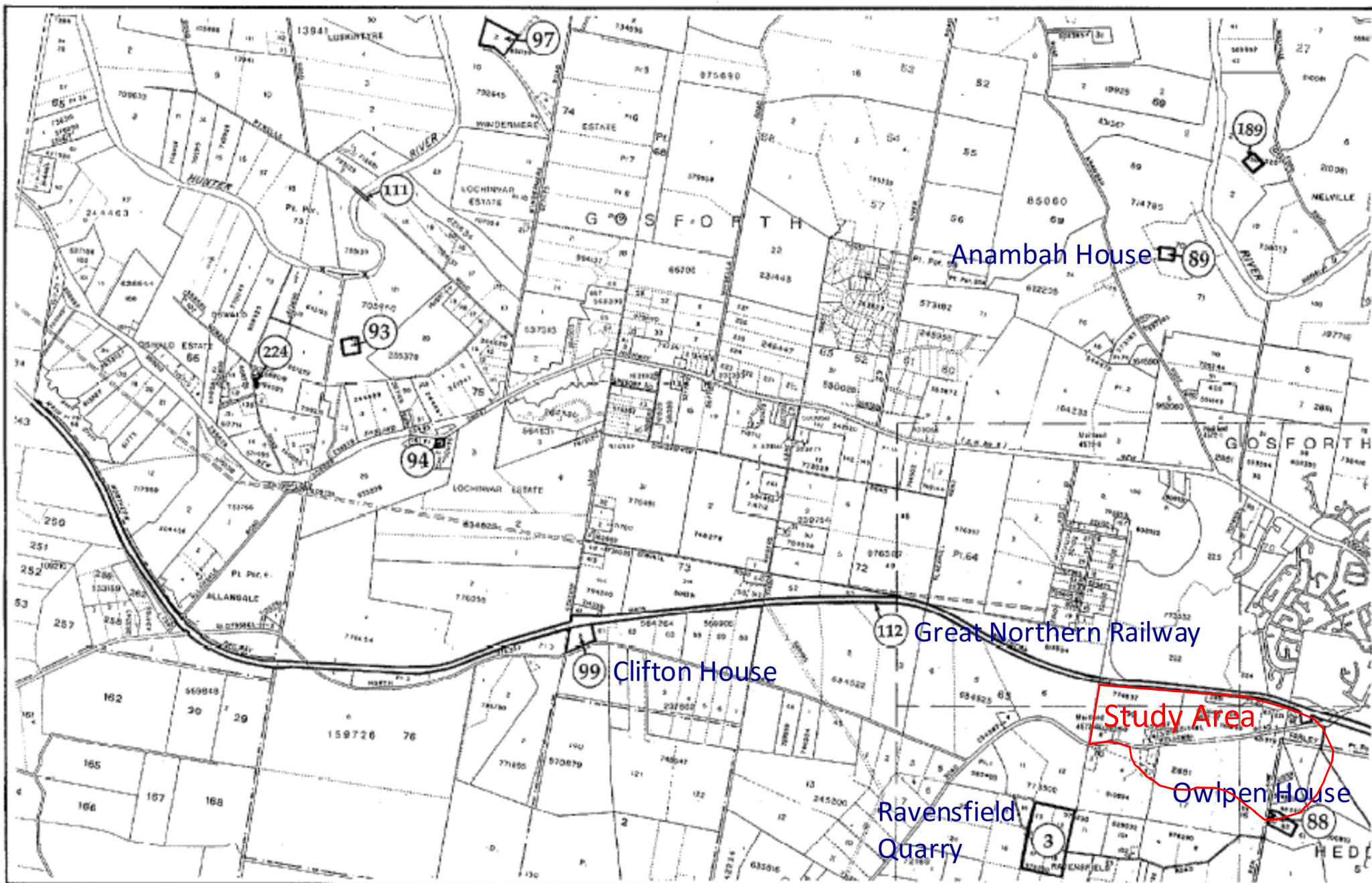


# HERITAGE CONSERVATION AREAS

Column 1 Description of heritage conservation area	Column 2 Manner shown on heritage map	Column 3 Map
Central Maitland Heritage Conservation Area	Shown by black edging and lettered <i>Central Maitland Heritage Conservation Area</i>	A
Lorn Heritage Conservation Area	Shown by black edging and lettered <i>Lorn Heritage Conservation Area</i>	B
East Maitland Heritage Conservation Area	Shown by black edging and lettered <i>East Maitland Heritage Conservation Area</i>	C
Morpeth Heritage Conservation Area	Shown by black edging and lettered <i>Morpeth Heritage Conservation Area</i>	D
Bolwarra Heritage Conservation Area	Shown by black edging and lettered <i>Bolwarra Heritage Conservation Area</i>	E
Regent Street Heritage Conservation Area	Shown by black edging and lettered <i>Regent Street Heritage Conservation Area</i>	F

# HERITAGE CONSERVATION AREAS





Anambah House

Great Northern Railway

Clifton House

Study Area

Ravensfield  
Quarry

Owipen House

3 Ravensfield Road	Stone Quarry(Brow's)	Regional	99 Station Line	Clifton	Local
88 Owipen Lane 60	Owipen	Local	111 Hunter River	Luskintyre Bridge	Regional
89 Anambah Road	Anambah House	State	112	Government Railway	Regional
93 New England Highway	Kalabah	Regional	189 Melville Ford Road	Melville House	Regional
94 New England Highway	St Helens Cottage	Regional	224 Oswald Road	Gosford Cemetery	Regional
97 New England Highway	Windermere	Regional			

**MAITLAND L.E.P. 1993**  
**HERITAGE ITEMS**

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Click on the BACK button of your browser to return to the search.

## Statutory Listed Items

Information and items listed in the State Heritage Inventory come from a number of sources. This means that there may be several entries for the same heritage item in the database. For clarity, the search results have been divided into two sections.

- Section 1. contains items listed by the Heritage Council under the NSW Heritage Act. This includes listing on the State Heritage Register, an Interim Heritage Order or protected under section 136 of the NSW Heritage Act. This information is provided by the Heritage Branch.
- Section 2. contains items listed by Local Councils & Shires and State Government Agencies. This section may also contain additional information on some of the items listed in the first section.

### Section 1. Items listed under the NSW Heritage Act.

Click on an item name to view the full details.

The search results can be re-sorted by clicking on the (sort) option at the top of each column.

Item Name (sort)	Address (sort)	Suburb (sort)	LGA (sort)	Listed Under Heritage Act
<a href="#">Anambah House</a>	Anambah Road	Gosforth via Rutherford	Maitland	Yes

There was 1 record in this section matching your search criteria.

### Section 2. Items listed by Local Government and State agencies.

Item Name (sort)	Address (sort)	Suburb (sort)	LGA (sort)	Information Source (sort)
<a href="#">Cemetery</a>	New England Highway	Rutherford	Maitland	LGOV

There was 1 record in this section matching your search criteria.

There was a total of 2 records matching your search criteria.

Key:

LGA = Local Government Area

GAZ= NSW Government Gazette (statutory listings prior to 1997), HGA = Heritage Grant Application, HS = Heritage Study, LGOV = Local Government, SGOV = State Government Agency.

Note: The Heritage Branch seeks to keep the State Heritage Inventory (SHI) up to date, however the latest listings in Local and Regional Environmental Plans (LEPs and REPs) may not yet be included. Always check with the relevant Local Council or Shire for the most recent listings.



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## Statutory Listed Items

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- Section 1. contains items listed by the Heritage Council under the NSW Heritage Act. This includes listing on the State Heritage Register, an Interim Heritage Order or protected under section 136 of the NSW Heritage Act. This information is provided by the Heritage Branch.
- Section 2. contains items listed by Local Councils & Shires and State Government Agencies. This section may also contain additional information on some of the items listed in the first section.

### Section 1. Items listed under the NSW Heritage Act.

Click on an item name to view the full details.

The search results can be re-sorted by clicking on the (sort) option at the top of each column.

<a href="#">Item Name (sort)</a>	<a href="#">Address (sort)</a>	<a href="#">Suburb (sort)</a>	<a href="#">LGA (sort)</a>	<a href="#">Listed Under Heritage Act</a>
----------------------------------	--------------------------------	-------------------------------	----------------------------	---

There were no records in this section matching your search criteria.

### Section 2. Items listed by Local Government and State agencies.

<a href="#">Item Name (sort)</a>	<a href="#">Address (sort)</a>	<a href="#">Suburb (sort)</a>	<a href="#">LGA (sort)</a>	<a href="#">Information Source (sort)</a>
<a href="#">Owlpen</a>	60 Owlpen Lane	Farley	Maitland	LGOV

There was 1 record in this section matching your search criteria.

There was a total of 1 record matching your search criteria.

Key:

LGA = Local Government Area

GAZ= NSW Government Gazette (statutory listings prior to 1997), HGA = Heritage Grant Application, HS = Heritage Study, LGOV = Local Government, SGOV = State Government Agency.

Note: The Heritage Branch seeks to keep the State Heritage Inventory (SHI) up to date, however the latest listings in Local and Regional Environmental Plans (LEPs and REPs) may not yet be included. Always check with the relevant Local Council or Shire for the most recent listings.

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## Owlpen

Note: There are incomplete details for a number of items listed in NSW. The Heritage Branch intends to develop or upgrade statements of significance and other information for these items as resources become available.

### Item

Name of Item: Owlpen

Primary Address: 60 Owlpen Lane, Farley, NSW 2320

Local Govt. Area: Maitland

Property Description:

Lot/Volume Code	Lot/Volume Number	Section Number	Plan/Folio Code	Plan/Folio Number
-----------------	-------------------	----------------	-----------------	-------------------

All Addresses

Street Address	Suburb/Town	LGA	Parish	County	Type
60 Owlpen Lane	Farley	Maitland			Primary

Assessment Criteria: Items are assessed against the [State Heritage Register \(SHR\) Criteria](#) to determine the level of significance. Refer to the Listings below for the level of statutory protection.

### Listings

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan			03 Sep 93		

### References, Internet links & Images

None

Note: Internet links may be to web pages, documents or images.

### Data Source

The information for this entry comes from the following source:

Name: Local Government  
Database Number: 2000261

Every effort has been made to ensure that information contained in the State Heritage Inventory is



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## Stone Quarry

Note: There are incomplete details for a number of items listed in NSW. The Heritage Branch intends to develop or upgrade statements of significance and other information for these items as resources become available.

### Item

Name of Item: Stone Quarry

Other Other Mining

Name/s:

Type of Item: Built

Primary Ravensfield Road, Bishops Bridge, NSW 2326

Address:

Local Govt. Maitland

Area:

Property Description:

Lot/Volume Code	Lot/Volume Number	Section Number	Plan/Folio Code	Plan/Folio Number
-----------------	-------------------	----------------	-----------------	-------------------

All Addresses

Street Address	Suburb/Town	LGA	Parish	County	Type
Ravensfield Road	Bishops Bridge	Maitland			Primary

Assessment Criteria Items are assessed against the [State Heritage Register \(SHR\) Criteria](#) to determine the level of significance. Refer to the Listings below for the level of statutory protection.

### Listings

Heritage Listing	Listing Title	Listing Number	Gazette Date	Gazette Number	Gazette Page
Local Environmental Plan			03 Sep 93		

### References, Internet links & Images

None

Note: Internet links may be to web pages, documents or images.

### Data Source

The information for this entry comes from the following source:

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Database: 2000227

Number:

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## Search Results

37 results found.

<a href="#">Aberglasslyn Homestead</a> Aberglasslyn La	Aberglasslyn via Maitland, NSW, Australia	(Registered) Register of the National Estate
<a href="#">Anambah Gardens</a> Anambah Rd	Anambah Via Maitland, NSW, Australia	(Indicative Place) Register of the National Estate
<a href="#">Bourke Street Conservation Area</a> 9 - 113 Bourke St	Maitland, NSW, Australia	(Indicative Place) Register of the National Estate
<a href="#">Brough House</a> Church St	Maitland, NSW, Australia	(Registered) Register of the National Estate
<a href="#">Burial Ground and Surrounds, Glebe Gully</a> George St	East Maitland, NSW, Australia	(Registered) Register of the National Estate
<a href="#">Caroline Chisholm Barracks (former)</a> 3 Mill St	East Maitland, NSW, Australia	(Indicative Place) Register of the National Estate
<a href="#">Cintra Gardens</a> 34 Regent St	Maitland, NSW, Australia	(Registered) Register of the National Estate
<a href="#">Cintra and Stables</a> 34 Regent St	Maitland, NSW, Australia	(Registered) Register of the National Estate
<a href="#">East Maitland Courthouse Group</a> John St	East Maitland, NSW, Australia	(Registered) Register of the National Estate
<a href="#">East Maitland Police Station (former)</a> Lindesay St	East Maitland, NSW, Australia	(Registered) Register of the National Estate
<a href="#">East Maitland Post Office (former)</a> 18-20 Day St	East Maitland, NSW, Australia	(Registered) Register of the National Estate
<a href="#">East Maitland Railway Station Group</a> John St	East Maitland, NSW, Australia	(Indicative Place) Register of the National Estate
<a href="#">Fosters Farm and Outbuildings</a> 1 High St	South Maitland, NSW, Australia	(Registered) Register of the National Estate
<a href="#">Grandstand and McDonald Pavilion</a> Evans St	South Maitland, NSW, Australia	(Indicative Place) Register of the National Estate
<a href="#">Grossmann House</a> Church St	Maitland, NSW, Australia	(Registered) Register of the National Estate

<a href="#">Grossmann House Group</a> Church St	Maitland, NSW, Australia	<a href="#">(Registered)</a> Register of the National Estate
<a href="#">High School (former) &amp; RJ Hinder Memorial Library</a> High St	East Maitland, NSW, Australia	<a href="#">(Registered)</a> Register of the National Estate
<a href="#">Lands Board Office</a> Newcastle St	East Maitland, NSW, Australia	<a href="#">(Registered)</a> Register of the National Estate
<a href="#">Maitland Courthouse</a> High St	Maitland, NSW, Australia	<a href="#">(Registered)</a> Register of the National Estate
<a href="#">Maitland Post Office</a> 381 High St	Maitland, NSW, Australia	<a href="#">(Registered)</a> Register of the National Estate
<a href="#">Maitland Post Office</a> 381 High St	Maitland, NSW, Australia	<a href="#">(Indicative Place)</a> Commonwealth Heritage List
<a href="#">Maitland Showground</a> Bloomfield St	South Maitland, NSW, Australia	<a href="#">(Indicative Place)</a> Register of the National Estate
<a href="#">Matthew Talbot Hostel (former)</a> 36 Banks St	East Maitland, NSW, Australia	<a href="#">(Indicative Place)</a> Register of the National Estate
<a href="#">Oldholme and Garden</a> 12 Wallis St	East Maitland, NSW, Australia	<a href="#">(Registered)</a> Register of the National Estate
<a href="#">Presbyterian Church Group</a> 10-14 Free Church St	Maitland, NSW, Australia	<a href="#">(Registered)</a> Register of the National Estate
<a href="#">Rose Inn (former)</a> 46 Newcastle St	East Maitland, NSW, Australia	<a href="#">(Registered)</a> Register of the National Estate
<a href="#">Roseneath</a> 9 Day St	East Maitland, NSW, Australia	<a href="#">(Registered)</a> Register of the National Estate
<a href="#">St Mary the Virgin Anglican Church &amp; Rectory</a> Church St	Maitland, NSW, Australia	<a href="#">(Registered)</a> Register of the National Estate
<a href="#">St Pauls Anglican Church &amp; Bell Tower</a> Cross St	Maitland, NSW, Australia	<a href="#">(Registered)</a> Register of the National Estate
<a href="#">St Pauls Anglican Church Group</a> Cross St	Maitland, NSW, Australia	<a href="#">(Registered)</a> Register of the National Estate
<a href="#">St Peters Anglican Church</a> William St	East Maitland, NSW, Australia	<a href="#">(Registered)</a> Register of the National Estate



<a href="#">St Peters Anglican Parish Hall</a> 52 Banks St	East Maitland, NSW, Australia	( <a href="#">Registered</a> ) Register of the National Estate
<a href="#">St Peters Curates Residence</a> William St	East Maitland, NSW, Australia	( <a href="#">Registered</a> ) Register of the National Estate
<a href="#">Technical College (former)</a> High St	Maitland, NSW, Australia	( <a href="#">Registered</a> ) Register of the National Estate
<a href="#">The Family Hotel</a> 605-607 High St	Maitland, NSW, Australia	( <a href="#">Registered</a> ) Register of the National Estate
<a href="#">Walli House Group</a> 1-3 High St	South Maitland, NSW, Australia	( <a href="#">Registered</a> ) Register of the National Estate
<a href="#">Walli House and Outbuildings</a> 3 High St	South Maitland, NSW, Australia	( <a href="#">Registered</a> ) Register of the National Estate

Report Produced: Fri May 7 17:39:44 2010